रजिस्ट्री सं. डी. (डी. एन.)—73 REGISTERED No. D.(D.N.)-73

सत्यमेव जयते

भारत का राजपत्र
The Gazette of India

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 10] नई दिल्ली, शनिवार, मार्च 5, 1983/फाल्गुन 14, 1904

No. 10] NEW DELHI, SATURDAY, MARCH 5, 1983/PHALGUNA 14, 1904

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं

Statutory Orders and Notifications issued by the Ministries of the Government of India (other than the Ministry of Defence)

विधि, न्याय और कम्पनी कार्य मंत्रालय

(विधि कार्य विभाग)

सूचना

नई दिल्ली, 10 फरवरी 1983

का० आ० 1361.—नोटरीज नियम 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री जितेन्द्र मोहन गुप्ता एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे केन्द्रीय प्राधिकार क्षेत्र, दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए ।

2. उक्त व्यक्ति के नोटरी के रूप में नियुक्त पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए ।

[सं० 5(12)/82-न्या०)]

के० सी० डी० गंगवानी, सक्षम प्राधिकारी

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Department of Legal Affairs)

NOTICE

New Delhi, the 10th February, 1983

S.O. 1361.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Jitendra Mohan, Gupta ; Advocate for appointment as a Notary to practise in Union Territory of Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(32)/82-Judl.]

K. C. D. GANGWANI, Competent Authority

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 14 दिसम्बर, 1982

आयकर

का० आ० 1362.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खंड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 19 जून 1980 की

अधिसूचना सं० 3480 का अधिलंघन करते हुए, केन्द्रीय सरकार एतद्द्वारा श्री के० एल० जैन को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है ।

2. यह अधिसूचना श्री के० एल० जैन द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी ।

[सं० 5007/फा० सं० 398/32/82-आ० क०(ब०)]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 14th December, 1982

INCOME TAX

S.O. 1362.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-Tax Act, 1961 (43 of 1961) and in supersession of notification No. 3480 (F. No. 398/2/80-ITCC) dated the 19th June, 1980, the Central Government hereby authorises Shri K. L. Jain, who is a Gazetted Officer of the Central Government of India to exercise the powers of the Tax Recovery Officer under the said Act.

2. The Notification shall come into force with effect from the date Shri K. L. Jain, takes over the charge as Tax Recovery Officer.

[No. 5007/F. No. 398/32/82-IT(B)]

आयकर

का० आ० 1363.—आयकर अधिनियम 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खंड (iii) के अनुसरण में और दिनांक 24 जनवरी, 1980 की अधिसूचना सं० 3156 (फा० सं० 398/2/80-आ० क० स० क०) का अधिलंघन करते हुए केन्द्रीय सरकार एतद्द्वारा श्री एम० कम्पानी को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है ।

2 यह अधिसूचना, श्री एम० कम्पानी द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी ।

[सं० 5009/फा० सं० 398/32/82-आ०क० (ब०)]

INCOME TAX

S.O. 1363.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961) and in supersession of notification No. 3156 (F. No. 398/2/80-ITCC) dated the 24th Jan. 1980, the Central Government hereby authorises Shri M. Kampani who is a Gazetted Officer of the Central Government of India to exercise the powers of the Tax Recovery Officer under the said Act.

2. The Notification shall come into force with effect from the date Shri M. Kampani takes over the charge as Tax Recovery Officer.

[No. 5009/F. No. 398/32/82-IT(B)]

आयकर

का० आ० 1364.—आयकर अधिनियम 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खंड (iii) के अनुसरण में और दिनांक 24 जनवरी 1980 की अधिसूचना सं० 3156 (फा० सं० 398/2/80-आ० क० स० क०) का अधिलंघन करते हुए, केन्द्रीय सरकार एतद्द्वारा श्री बी० पी० शर्मा को जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है ।

2. यह अधिसूचना श्री बी० पी० शर्मा द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी ।

[सं० 5011/फा० सं० 398/32/82-आ० क०(ब)]

INCOME TAX

S.O. 1364.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961) and in supersession of notification No. 3156 (F. No. 398/2/80-ITCC) dated the 24th Jan. 1980 the Central Government hereby authorises Shri B. P. Sharma who is Gazetted Officer of the Central Government of India to exercise the powers of the Tax Recovery Officer under the said Act.

2. The Notification shall come into force with effect from the date Shri B. P. Sharma takes over the charge as Tax Recovery Officer.

[No. 5011/F. No. 398/2/82-IT(B)]

आयकर

का० आ० 1365.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खंड (iii) के अनुसरण में का अधिकथन करते हुए, केन्द्रीय सरकार एतद्द्वारा श्री एस० बी० चतुर्वेदी को जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है ।

2 यह अधिसूचना, श्री एस० बी० चतुर्वेदी द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी ।

[सं० 5013/फा० स० 398/32/82-आ०क०(ब०)]

INCOME TAX

S.O. 1365.—In pursuance of powers conferred by sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises Shri S. B. Chaturvedi, who is a Gazetted Officer of the Central Government of India to exercise the powers of the Tax Recovery Officer under the said Act

2. This notification shall come into force with effect from the date Shri S. B. Chaturvedi takes over the charge as Tax Recovery Officer.

[No. 5013/F. No. 398/32/82-IT(B)]

नई दिल्ली, 21 दिसम्बर, 1982

आयकर

का० आ० 1366.—आयकर अधिनियम 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खंड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 14-10-81 की अधिसूचना सं० 4260 [फा० सं० 398/8/81 आ० क० (ब०)] का अधिलंघन करते हुए केन्द्रीय सरकार एतद्द्वारा श्री एम० एन० चतुर्वेदी को जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है ।

2 यह अधिसूचना, श्री एस० एन० चतुर्वेदी द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी ।

[स 5031/फा० सं० 398/39/82 आ० का०(ब०)]

New Delhi, the 21st December, 1982

INCOME TAX

S.O. 1366.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-Tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 4260 [F. No. 398/8/81-IT(B)], dated 14-10-81, the Central Government hereby authorises Shri S. N. Chaturvedi, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri S. N. Chaturvedi takes over charge as Tax Recovery Officer.

[No. 5031/F. No. 398/39/82-IT(B)]

आयकर

का० आ० 1367 —आयकर अधिनियम 1961 (1961 का 43) की धारा 2 क खण्ड (44) के उपखंड (iii) के अनुसरण म और भारत सरकार क राजस्व विभाग की दिनांक 27-9-82 की अधिसूचना स० 4844 [फा० स० 398/23/82 आ० क० (ब०)] का अधिलंघन करते हुए केन्द्रीय सरकार एतद्द्वारा श्री भामसेन देवमल को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के अर्तगत कर वसूली अधिकारी की शक्तियो का प्रयोग करने के लिए प्राधिकृत करती है।

2 यह अधिसूचना श्री भामसेन देवमल द्वारा कर वसूली अधिकारी के रूप मे कार्यभार ग्रहण किए जाने की तारीख से लागू होगा।

[स० 5033/फा० स० 398/23/82 आ०क०ब]

S.O. 1367.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No 4844 (F No. 398/23/82-IT(B) dated 29-7-82, the Central Government hereby authorises Shri Bhimsen Deomal, being a gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act

2 This Notification shall come into force with effect from the date Shri Bhimsen Deomal takes over charge as Tax Recovery Officer.

[No 5033/F No 398/23/82-ITB]

आयकर

का० आ० 1368 —आयकर अधिनियम 1961 (1961 का 43) की धारा 2 क खण्ड (44) के उप खंड (iii) क अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 1 8-80 की अधिसूचना स० 3606 (फा० स० 398/10/80-आ० क० स० क०) का अधिलंघन करते हुए केन्द्रीय सरकार एतद्द्वारा श्री क० पी० गुहा को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के अतर्गत कर वसूली अधिकारी की शक्तियो का प्रयोग करने के लिए प्राधिकृत करती है।

2 यह अधिसूचना श्री के० पी० गुहा द्वारा कर वसूली अधिकारी के रूप मे कार्यभार ग्रहण किए जाने की तारीख से लागू होगा।

[स० 5035/फा० स० 398/19/82-आ० क०

INCOME TAX

S.O. 1368.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No 3606 (F No 398/10/80-ITCC) dated 1-8-80, the Central Government hereby authorises Shri K P Guha, being a gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act

2. This Notification shall come into force with effect from the date Shri K P Guha takes over charge as Tax Recovery Officer

[No 5035/F No 938/19/82-ITB]

नई दिल्ली, 31 दिसम्बर, 1982

आयकर

का० आ० 1369—आयकर अधिनियम 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खंड (iii) के अनुसरण मे और भारत सरकार के राजस्व विभाग की दिनांक 19-8-80 की अधिसूचना स० 3623 (फा० स० 398/3/80 आ० क० स० क०) का अधिलंघन करते हुए, केन्द्रीय सरकार एतद्द्वारा श्री लाजपत राय को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के अर्तगत कर वसूली अधिकारी की शक्तियो का प्रयोग करने के लिए प्राधिकृत करती है।

2 यह अधिसूचना श्री लाजपत राय द्वारा कर वसूली अधिकारी के रूप मे कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[स० 5041/फा० स० 398/38/82 आ० क० ब०]

New Delhi, the 31st December, 1982

INCOME TAX

S O. 1369.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of notification of the Government of India in the Department of Revenue No. 3623 (F. No. 398/3/80-ITCC) dated 19-8-80, the Central Government hereby authorises Shri Lajpat Rai being a Gazetted Officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act.

2 This notification shall come into force with effect from the date Shri Lajpat Rai takes over charge as Tax Recovery Officer.

[No 5041/F. No. 398/38/82-ITB]

आयकर

का० आ० 1370 —आयकर अधिनियम 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खंड (iii) के अनुसरण मे और भारत सरकार के राजस्व विभाग की दिनांक 19-8-80 की अधिसूचना स० 3625 (फा० स० 398/3/80-आ० क० स० क०) का अधिलंघन करते हुए केन्द्रीय सरकार एतद्द्वारा श्री एस० के० अग्रवाल को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है उक्त अधिनियम के अर्तगत कर वसूली अधिकारी की शक्तियो का प्रयोग करने के लिए प्राधिकृत करती है।

2 यह अधिसूचना, श्री एस० के० अग्रवाल द्वारा कर वसूली अधिकारी के रूप मे कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[स० 5043/फा० स० 398/38/82-आ० क० ब०]

INCOME TAX

S.O. 1370—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961, (43 of 1961), and in supersession of notification of the Government of India in the Department of Revenue No 3625 (F. No 398/3/80-ITCC) dated 19-8 80, the Central Government hereby authories Shri S K. Aggarwal, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This notification shall come into force with effect from the date Shri S K. Aggarwal takes over charge as Tax Recovery Officer.

[No. 5043/F. No. 398/38/82-ITB]

आयकर

का० आ० 1371—आयकर अधिनियम 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खंड (iii) के अनुसरण मे और भारत सरकार के राजस्व विभाग की दिनांक 3-5-80 की अधिसूचना स० 3280 (फा० स० 398/3/80 आ० क० स० क०) का अधिसंधन करते हुए, केन्द्रीय सरकार एतद्द्वारा श्री आर० डी० कथूरिया को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं उक्त अधिनियम के अर्तगत कर वसूली अधिकारी की शक्तियो का प्रयोग करने के लिए प्राधिकृत करती है।

2 यह अधिसूचना, श्री आर० डी० कथूरिया द्वारा कर वसूल अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[स० 5045/फा० स० 398/38/82-आ० क० ब०]

INCOME TAX

S.O. 1371.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of notification of the Government of India in the Department of Revenue No. 3280 (F. No. 398/3/80-ITCC) dated 3-5-80, the Central Government hereby authorises Shri R. D. Kathuria being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This notification shall come into force with effect from the date Shri R. D. Kathuria takes over charge as Tax Recovery Officer.

[No. 5045/F. No. 398/38/82-ITB]

आयकर

का० आ० 1372.—आयकर अधिनियम 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखंड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 3-5-80 की अधिसूचना सं० 3276 (फा० सं० 398/3/80 आ० क० स० क०) की अधिलंघन करते हुए केन्द्रीय सरकार एतद्द्वारा श्री टी० सी० गुप्ता को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री टी० सी० गुप्ता द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[सं० 5047/फा० सं० 398/38/82 आ० क० ब०]

INCOME TAX

S.O. 1372.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of notification of the Government of India in the Department of Revenue No. 3276 (F. No. 398/3/80-ITCC) dated 3rd May, 1980, the Central Government hereby authorises Shri T. C. Gupta, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This notification shall come into force with effect from the date Shri T. C. Gupta takes over charge as Tax Recovery Officer.

[No. 5047/F. No. 398/38/82-ITB]

आयकर

का० आ० 1373.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखंड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 29-9-79 की अधिसूचना सं० 2996 (फा० सं० 404/133/क० व० आ० पटियाला/79/आ० क० स० फ०) का अधिलंघन करते हुए केन्द्रीय सरकार एतद्द्वारा श्री जे० एल० कपूर को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री जे० एल० कपूर द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[सं० 5049/फा० सं० 398/4/82 आ० क० ब०]

INCOME TAX

S.O. 1373.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of notification of the Government of India in the Department of Revenue No. 2996 (F. No. 404/133/TRO-Patiala/79/ITCC) dated 29-9-79, the Central Government hereby authorises Shri J. L. Kapoor, being a Gazetted Officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act.

2. This notification shall come into force with effect from the date Shri J. L. Kapoor takes over charge as Tax Recovery Officer.

[No. 5049/F. No. 398/4/82-ITB]

आयकर

का० आ० 1374.—आयकर अधिनियम 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखंड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 22-8-80 की अधिसूचना सं० 3630 (फा० सं० 398/16/80 आ० क० स० क०) का अधिलंघन करते हुए केन्द्रीय सरकार एतद्द्वारा श्री डब्ल्यू० एन० राजपुरोहित को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री डब्ल्यू० एन० राजपुरोहित द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[सं० 5051/फा० सं० 398/4/82-आ० क० ब०]

INCOME TAX

S.O. 1374.—In pursunace of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in partial modification of Notification of the Government of India in the Department of Revenue No. 3630 (F. No. 398/16/80-ITCC) dated 22-8-80, the Central Government hereby authorises Shri W. N. Rajprohit, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This notification shall come into force with effect from the date Shri W. N. Rajprohit takes over charge as Tax Recovery Officer.

[No. 5051/F. No. 398/4/82-ITB]

आयकर

का० आ० 1375.—आयकर अधिनियम 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखंड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 19-3-82 की अधिसूचना सं० 4519 (फा० सं० 398/5/82- आ० क० ब०) का अधिलंघन करते हुए केन्द्रीय सरकार एतद्द्वारा श्री आर० सी० पुरवार को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री आर० सी० पुरवार द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[सं० 5053/फा० सं० 398/5/82-आ० क० ब०]

INCOME TAX

S.O. 1375.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of notification of the Government of the Government of India in the Department of Revenue No. 4519 (F. No. 398/5/82-ITB) dated 19-3-82, the Central Government hereby authorises Shri R. C. Purwar, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This notification shall come into force with effect from the date Shri R. C. Purwar takes over charge as Tax Recovery Officer.

[No. 5053/F. No. 398/5/82-ITB]

नई दिल्ली, 28 जनवरी, 1982

आयकर

का० आ० 1376.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खंड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 15-5-80 की अधिसूचना सं० 3297 (फा० सं० 398/1/80-आ० क० स० क०) का अधिलंघन करते हुए, केन्द्रीय सरकार एतद्द्वारा श्रीमती किरण एन० दवे को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है ।

2 यह अधिसूचना, श्रीमती किरण एन० दवे द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी ।

[सं० 5059/फा० सं० 398/1/83-आ० क० (ब०)]

New Delhi, the 28th January, 1983

INCOME TAX

S.O. 1376.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 3297 (F. No. 398/1/80-ITCC) dated 15-5-80, the Central Government hereby authorises Mrs. Kiran N. Dave being a gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Mrs. Kiran N. Dave takes over charge as Tax Recovery Officer.

[No. 5059/F. No. 398/1/83-IT(B)]

आयकर

का० आ० 1377—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खंड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 7-7-80 की अधिसूचना सं० 3526 (फा० सं० 398/1/80 आ० क० स० क०) का अधिलंघन करते हुए, केन्द्रीय सरकार एतद्द्वारा श्री एन० के० नेस्टी को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है ।

2. यह अधिसूचना श्री एन० के० नेस्टी द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी ।

[सं० 5061/फा० सं० 398/1/83-आ० क० ब०]

INCOME TAX

S.O. 1377.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 3526 (F. No. 398/1/80-ITCC) dated 7-7-80, the Central Government hereby authorises Shri N. K. Nesti, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri N. K. Nesti takes over charge as Tax Recovery Officer.

[No. 5061/F. No. 398/1/83-ITB]

आयकर

का० आ० 1378—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खंड (44) के उप खंड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 29-8-78 की अधिसूचना सं० 2488 (फा० सं० 404/26/78 आ० क० स० क०) का अधिलंघन करते हुए केन्द्रीय सरकार एतद्द्वारा श्री ए० जे० जोर्ज को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है ।

2. यह अधिसूचना श्री ए० जे० जोर्ज द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी ।

[सं० 5063/फा० सं० 398/1/83 आ० क० ब०]

INCOME TAX

S.O. 1378.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 2488 (F. No. 404/26/78-ITCC) dated 29-8-78, the Central Government hereby authorises Shri A. J. George, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri A. J. George takes over charge as Tax Recovery Officer.

[No. 5063/F. No. 398/1/83-ITB]

आयकर

का० आ० 1379—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खंड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 4-9-81 की अधिसूचना सं० 4209 (फा० सं० 398/25/81-आ० क० ब०) का अधिलंघन करते हुए केन्द्रीय सरकार एतद्द्वारा श्री पी० आर० वठारे को जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है ।

2. यह अधिसूचना श्री पी० आर० वठारे द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी ।

[सं० 5065/फा० सं० 398/1/83-आ० क० ब०]

INCOME TAX

S.O. 1379.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 4209 (F. No. 398/25/81-ITB) dated 4-9-81, the Central Government hereby authorises Shri P. R. Wathare, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovey Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri P. R. Wathare takes over charge as Tax Recovery Officer.

[No. 5065/F. No. 398/1/83-ITB]

आयकर

का० आ० 1380—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खंड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 30-1-79 की अधिसूचना सं० 2692 (फा० सं० 404/27 क० ब० अ०/चो० ए० आर० 79/क०आ० स० क०) का अधिलंघन करते हुए, केन्द्रीय सरकार एतद्द्वारा श्री पी० टी० मेहता को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधियनयम के अंतर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है ।

2. यह अधिसूचना श्री पी० टी० मेहता द्वारा कर वसूली अ के रूप मे कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[स० 5067/फा० स० 398/1/83-आ० क० ब०]

INCOME TAX

S.O. 1380.—In pursuance of sub-clause (iii) of clause (44) of sction 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 2692 (F. No 404/27/TRO/BAR/79/ITC) dated 30-1-79, the Central Government hereby authorises Shri P. T. Mehta, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri P. T. Mehta takes over charge as Tax Recovery Officer.

[No. 5067/F. No. 398/1/83-ITB]

आयकर

का० आ० 1381.—आयकर अधिनियम 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखंड (iii) के अनुसरण मे और भारत सरकार के राजस्व विभाग की दिनांक 30-1-1979 की अधिसूचना स० 2696 (फा० स० 404/27/क० व० आ०-बी० ए० आर०/79-आ० क० स० क०) का अधिलंघन करते हुए, केन्द्रीय सरकार एतद्द्वारा श्री एम० एच० पाण्डव को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियो का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री एम० एच० पाण्डव द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी

[स० 5069/फा० स० 398/1/83 आ० क० ब०]

INCOME TAX

S.O. 1381.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification the Government of India in the Department of Revenue No. 2696 (F. No. 404/27/TRO/-BAR/79-ITCC) dated 30-1-1979, the Central Government hereby authorises Shri M. H. Pandey, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act

2. This Notification shall come into force with effect from the date Shri M. H. Pandey takes over charge as Tax Recovery Officer.

[No. 5069/F. No. 398/1/83-ITB]

आयकर

आ० 1382.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखंड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 7-7-1980 की अधिसूचना सं० 3526 (फा० सं० 398/1/80-आ० क० स० क) का अधिलंघन करते हुए, केन्द्रीय सरकार एतद्द्वारा श्री पी० सी० शाह को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियो का प्रयोग करने के लिए प्राधिकृत करती है

2 यह अधिसूचना, श्री पी० सी० शाह द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[स० 5071/ फा० स० 398/1/83 - आ० क० ब०]

INCOME TAX

S.O. 1382.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 3526 (F. No. 398/1/80-ITCC) dated 7-7-1980, the Central Government hereby authorises Shri P. C. Shah, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri P. C. Shah takes over charge as Tax Recovery Officer.

[No. 5071/F. No. 398/1/83-ITB]

का० आ० 1383—आयकर अधिनियम, 1961 (1961 का 41) की धारा 2 के खण्ड (44) के उप खंड (iii) के अनुसरण मे और भारत सरकार के राजस्व विभाग की दिनांक 7-7-1980 का अधिसूचना सं० 3524 (फा० स० 398/1/80 आ० क० स० क०) का अधिलंघन करते हुए केन्द्रीय सरकार एतद्द्वारा श्री जे० वी० नाडियाद्रा को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियो का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री जे० वी० नाडियाद्रा द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी,

[सं० 5073/फा० स० 398/1/83 आ० क० ब०]

INCOME TAX

S.O. 1383.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 3524 (F. No. 398/1/80-ITCC) dated 7-7-1980, the Central Government hereby authorises Shri J. V. Nadiadra being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri J. V. Nadiadra takes over charge as Tax Recovery Officer.

[No. 5073/F. No. 398/1/83-ITB]

आयकर

का० आ० 1384—आयकर अधिनियम 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खंड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 25-7-79 की अधिसूचना सं० 2949 (फा० सं० 404/141/79-आ० क० स० क०/क० ब० अ० राजकोट) का अधिलंघन करते हुए केन्द्रीय सरकार एतद्वारा श्री एम० टी० तलेले को जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियो का प्रयोग करने के लिए प्रा त करती है।

2. यह अधिसूचना श्री एम० टी० तलेले द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[सं० 5075/फा० स० 398/1/83-आ० क० ब०)]

INCOME TAX

S.O. 1384.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 2949 (F. No. 404/141/779-ITCC/TRO-Rajkot), dated 25-7-1979, the Central Government hereby authories Shri M. T. Talele being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri M. T. Talele takes over charge as Tax Recovery Officer.

[No. 5075/F. No. 398/1/83-ITB]

नई दिल्ली, 3 फरवरी, 1983

आयकर

का० आ० 1385.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) के अनुसरण में, वित्त मंत्रालय (राजस्व विभाग) में जारी की गई दिनांक 3 नवम्बर, 1980 की अधिसूचना सं० 3716 (फा० सं० 398/3/80 आ० क० म० क०) को एतद्द्वारा रद्द किया जाता है।

यह अधिसूचना, श्री जे० आर० जैन द्वारा कर वसूली अधिकारी के रूप में कार्यभार सौंपे जाने की तारीख से लागू होगी।

[सं० 5086/फा० सं० 398/38/82-आ० क० ब०]

New Delhi, the 3rd February, 1983

INCOME TAX

S.O. 1385.—The notification issued in the Ministry of Finance (Department of Revenue) No. 3716 (F. No. 398/3/80-ITCC), dated the 3rd November, 1980, in pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), is hereby cancelled.

This notification shall come into force with effect from the date Shri J. R. Jain hands over charge as Tax Recovery Officer.

[No. 5086/F. No. 398/38/82-ITB]

नई दिल्ली, 16 फरवरी, 1983

आयकर

का० आ० 1386.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खंड (44) के उपखंड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 30-6-1981 की अधिसूचना सं० 4064 (फा० सं० 398/10/81 आ० क० म० क०) का अधिलंघन करते हुए, केन्द्रीय सरकार एतद्द्वारा श्री जी० मुनिवेंकटप्पा को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

यह अधिसूचना, श्री जी० मुनिवेंकटप्पा द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[सं० 5090/फा०सं० 398/2/83-आ० क० ब०]

New Delhi, the 16th February, 1983

INCOME TAX

S.O. 1386.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of notification of the Government of India in the Department of Revenue No. 4064 (F. No. 398/10/81-ITCC) dated 30-6-1981 the Central Government hereby authorises Shri G. Munivenkatappa being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

This notification shall come into force with effect from the date Shri G. Munivenkatappa takes over charge as Tax Recovery Officer.

[No. 5090/F. No. 398/2/83-ITB]

नई दिल्ली, 22 फरवरी, 1983

आयकर

का० आ० 1387.—वित्त मंत्रालय (राजस्व विभाग) में, आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खंड (44) के उपखंड (iii) के अनुसरण में जारी की गयी दिनांक 8 जुलाई, 1980 की अधिसूचना सं० 3539 (फा० सं० 198/5/80 आ० क० म० क०) को एतद्द्वारा रद्द किया जाता है।

यह अधिसूचना श्री एस० सी० जैन द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किये जाने की तारीख से लागू होगी।

[सं० 5099/फा० सं० 398/6/83 आ० क० ब०]

एन० के० शुक्ला, अवर सचिव

New Delhi, the 22nd February, 1983

INCOME TAX

S.O. 1387.—The notification issued in the Ministry of Finance (Department of Revenue) No. 3539 (F. No. 398/5/80-ITCC), dated the 8th July, 1980, in pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-Tax Act, 1961 (43 of 1961) is hereby cancelled.

This notification shall come into force with effect from the date Shri S. C. Jain takes over charge as Tax Recovery Officer

[No. 5099/F. No. 398/6/83-ITB]

N. K. SHUKLA, Under Secy.

नई दिल्ली, 31 जनवरी, 1983

आयकर

का० आ० 1388.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खंड (44) के उपखंड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 11-1-1980 की अधिसूचना संख्या 3123 (फा० सं० 404/127/80 आ० क० म० क०) का अधिलंघन करते हुए, केन्द्रीय सरकार एतद्द्वारा श्री राम चन्द एस० के० को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिये प्राधिकृत करती है।

यह अधिसूचना, श्री राम चन्द एस० के० द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किये जाने की तारीख से लागू होगी।

[संख्या 5079/फा० सं० 398/40/82 आ० क० ब०]

New Delhi, the 31st January, 1983

INCOME TAX

S.O. 1388.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of notification of the Government of India in the Department of Revenue No. 3123 (F. No. 404/127/80-ITCC) dated 11-1-1980, the Central Government hereby authorises Shri Ram Chand S. K., being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

This notification shall come into force with effect from the date Shri Ram Chand S. K. takes over charge as Tax Recovery Officer.

[No. 5079/F. No. 398/40/82-ITB]

आयकर

का० आ० 1389.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 22-12-1981 की अधिसूचना संख्या 4190 (फा० सं० 398/2/81 आ० क० (ब०) का अधिलंघन करते हुए, केन्द्रीय सरकार एतद्द्वारा श्री विशन स्वरूप को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

यह अधिसूचना, श्री विशन स्वरूप द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किये जाने की तारीख से लागू होगी।

[सं० 5081/फा० सं० 398/40/82 आ० क० ब०]

INCOME TAX

S.O. 1389.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of notification of the Government of India in the Department of Revenue No. 4390 (F. No. 398/2/81-ITB) dated 22-12-1981, the Central Government hereby authorises Shri Bishan Swarup being a Gazetted Officer of the Central Government, to exericse the powers of a Tax Recovery Officer under the said Act.

This notification shall come into force with effect from the date Shri Bishan Swarup takes over charge as Tax Recovery Officer.

[No. 5081/F. No. 398/40/82-ITB]

आयकर

का० आ० 1390.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खंड (44) के उपखंड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 13-8-1981 की अधिसूचनाओं संख्या 4157 और 4159 (फा० सं० 398/2/81 आ० क० ब०) को अधिलंघित करते हुए केन्द्रीय सरकार एतद्द्वारा श्री एस० आर० गुप्ता को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिये प्राधिकृत करती है।

यह अधिसूचना, श्री एस० आर० गुप्ता द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किये जाने की तारीख से लागू होगी।

[सं० 5083/फा० सं० 398/40/82 आ० क० ब०]

आर० सी० हाण्डा, निदेशक

INCOME TAX

S.O. 1390.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of notifications of the Government of India in the Department of Revenue No. 4157 and 4159 (F. No. 398/2/81-ITB) both dated 13-8-1981, the Central Government hereby authorises Shri S. R. Gupta, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

This notification shall come into force with effect from the date Shri S. R. Gupta takes over charge as Tax Recovery Officer.

[No. 5083/F. No. 398/40/82-ITB]

R. C. HANDA, Director

आदेश

नई दिल्ली, 15 फरवरी, 1983

स्टाम्प

का. आ. 1391 :—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा उस शुल्क को माफ करती है जो राष्ट्रीय सहकारिता विकास निगम द्वारा प्रोमिसरी नोटों के रूप में जारी किए जाने वाले केवल सौलह करोड़ पचास लाख रुपये मूल्य के बन्ध पत्रों पर उक्त अधिनियम के अन्तर्गत प्रभार्य है ।

[संख्या 4-82-स्टाम्प/फा. संख्या 33/10/83-बि. क.]

भगवान दास, अवर सचिव

ORDER

New Delhi, the 15th February, 1983

STAMPS

S.O. 1391.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the form of promissory notes to the value of rupees sixteen crores and fifty lakhs only to be issued by the National Cooperative Development Corporation are chargeable under the said Act.

[No 4/83-Stamps-F. No.33/10/83-ST]

BHAGWAN DAS, Under Secy.

नई दिल्ली, 14 फरवरी, 1983

प्रधान कार्यालय संस्थापन

का. आ. 1392 .—केन्द्रीय राजस्व बोर्ड, अधिनियम, 1963 (1963 का 54) की धारा 3 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा भारतीय राजस्व सेवा (सीमा शुल्क तथा केन्द्रीय उत्पादन शुल्क) के अधिकारी श्री बी. एन. रंगवानी को, जो पिछले दिनों कलकत्ता में समाहर्ता, केन्द्रीय उत्पादन शुल्क के रूप में तैनात थे, 14 फरवरी, 1983 की पूर्वाह्न से अगला आदेश होने तक केन्द्रीय उत्पादन शुल्क तथा सीमा शुल्क बोर्ड के सदस्य के रूप में नियुक्त करती है ।

[फा. सं. ए-19011/4/83-प्रशासन-1]

जी. एस. मेहरा, अवर सचिव

New Delhi, the 14th February, 1983

HEADQUARTERS ESTABLISHMENT

S.O. 1392.—In exercise of the powers conferred by sub-section (2) of Section 3 of the Central Boards of Revenue Act, 1963 (No. 54 of 1963), the Central Government hereby appoints Shri B. N. Rangwani, an officer of the Indian Revenue Service (Customs and Central Excise), and lately posted as Collector of Central Excise, Calcutta, as Member of the Central Board of Excise & Customs with effect from the forenoon of 14th February, 1983 and until further orders.

[F. No. A-19011/4/83-Ad.I]

G. S. MEHRA, Under Secy.

(आर्थिक कार्य विभाग)

नई दिल्ली, 15 फरवरी, 1983

(बैंकिंग प्रभाग)

का. आ. 1393 :—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्द्वारा श्री एम. आर. कुमारप्पन को पाण्डियन ग्राम बैंक, सत्तूर का अध्यक्ष नियुक्त करती है तथा 1-1-1983 से प्रारम्भ होकर 31-12-1983 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री एम आर. कुमारप्पन अध्यक्ष के रूप में कार्य करेंगे ।

[संख्या एफ. 2-43/82-आर. आर. बी.]

(Department of Economic Affairs)

New Delhi, the 15th February, 1983

BANKING DIVISION

S.O. 1393.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976) the Central Government hereby appoints Shri M. R. Kumarappan as the Chairman of the Pandyan Grama Bank, Sattur and specifies the period commencing on 1-1-1983 and ending with the 31-12-1983 as the period for which the said Shri M. R. Kumarappan shall hold office as such Chairman.

[No. F. 2-43/82-RRB]

नई दिल्ली, 18 फरवरी, 1983

का. आ. 1394 :—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्द्वारा श्री एस. के. मिश्रा को पूरी ग्राम्य बैंक, पिपली का अध्यक्ष नियुक्त करती है तथा 1-1-1983 से प्रारम्भ होकर 31-12-1983 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री एस. के. मिश्रा अध्यक्ष के रूप में कार्य करेंगे ।

[सं. एफ. 2-10/82-आर. आर. बी.]

राम बेहरा, अवर सचिव

New Delhi, the 18th February, 1983

S.O. 1394.—In exericse of powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri S. K. Mishra as the Chairman of the Puri Gramya Bank, Pipli and specifies the period commencing on the 1-1-1983 and ending with the 31.12.1983 as the period for which the said Shri S. K. Mishra shall hold office as such Chairman.

[No. F.2-10|82-RRB]

RAAM BEHRA, Under Secy.

नई दिल्ली, 15 फरवरी, 1983

का. आ. 1395 :—बैंककारी विनियमन अधिनियम, 1940 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर एतद्द्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10ख की उपधारा (1) और (2) के उपबंध दि बैंक ऑफ करड़ लिमिटेड, करड़ पर, 1 फरवरी, 1983 से 30 अप्रैल, 1983 तक तीन महीने के वास्ते अथवा उक्त बैंक में अगले पूर्ण कालिक अध्यक्ष की नियुक्ति होने तक, इनमें से जो भी पहले हो, लागू नहीं होंगे ।

[संख्या 15/3/83-बी. ओ.-3]

एन. डी. बत्रा, अवर सचिव

New Delhi, the 15th February, 1983

S.O. 1395.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendations of the Reserve Bank of India, hereby declares that the provisions of sub-section (1) and (2) of Section 10B of the said Act, shall not apply to the Bank of Karad Ltd., Karad, for three months from 1st February, 1983 to 30th April, 1983 or till the appointment of the next wholetime Chairman of that Bank, whichever is earlier.

[No. 15/3/83-B.O.III]

N. D. BATRA, Under Secy

नई दिल्ली, 16 फरवरी, 1983

का. आ. 1396 :—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1980 के खण्ड 8 के उप-खण्ड (1) के साथ पठित खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिज़र्व बैंक से परामर्श करने के पश्चात् श्री वाई एम. हेगड़े को 16 फरवरी, 1983 से आरम्भ होने वाली और 15 फरवरी, 1986 को समाप्त होने वाली अवधि के लिए कारपोरेशन बैंक के प्रबन्ध निदेशक के रूप में नियुक्त करती है ।

[संख्या एफ 9/1/83 बी ओ.-1(1)]

New Delhi, the 16th February, 1983

S.O. 1396.—In pursuance of sub-clause (a) of clause 3, read with sub-section (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri Y. S. Hegde as the Managing Director of the Corporation Bank for a period commencing on 16th February, 1983 and ending with 15th February, 1986.

[No. F. 9/1/83- BO.I(1)]

का. आ. 1397 :—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण) उपबन्ध) स्कीम, 1970 के खण्ड 8 के उप-खण्ड (1) के साथ पठित खण्ड 3 के उप-खण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् श्री एम. जी. के. नैयर को 16 फरवरी, 1983 से आरम्भ होने वाली और 15 फरवरी, 1986 को समाप्त होने वाली अवधि के लिए इण्डियन बैंक के प्रबन्ध निदेशक के रूप में नियुक्त करती है ।

[सं. एफ 9/1/83-बी. ओ.-1 (3)]

S.O. 1397.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri M. G. K. Nair as the Managing Director of the Indian Bank for a period commencing on 16th February, 1983 and ending with 15th February, 1986.

[No. F. 9/1/83-BO. I(3)]

का. आ. 1398 :—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1980 के खण्ड 7 के साथ पठित खण्ड 5 के उप-खण्ड (1) के अनुसरण में केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् श्री वाई. एम. हेगड़े को, जिन्हें 16 फरवरी, 1983 से कारपोरेशन बैंक के प्रबन्ध निदेशक के रूप

में नियुक्त किया गया है, उसी तारीख से कारपोरेशन बैंक के निदेशक बोर्ड के अध्यक्ष के रूप में नियुक्त करती है ।

[संख्या एफ. 9/1/83-बी. ओ.-1 (2)]

S.O. 1398.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri Y. S. Hegde, who has been appointed as Managing Director of the Corporation Bank with effect from 16th February, 1983 to be the Chairman of the Board of Directors of the Corporation Bank with effect from the same date.

[No. 9/1/83-BO. I(2)]

का. आ. 1399 :—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण) उपबन्ध) स्कीम, 1970 के खण्ड 7 के साथ पठित खण्ड 5 के उप-खण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् श्री एम. जी. के नैयर को, जिन्हे 16 फरवरी, 1983 से इण्डियन बैंक के प्रबन्ध निदेशक के रूप में नियुक्त किया गया है, उसी तारीख से इण्डियन बैंक के निदेशक बोर्ड के अध्यक्ष के रूप में नियुक्त करती है ।

[संख्या एफ. 9/1/83-बी. ओ. 1 (4)]

S.O. 1399.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970 the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri M. G. K. Nair, who has been appointed as Managing Director of the Indian Bank with effect from 16th February, 1983 to be the Chairman of the Board of Directors of the Indian Bank with effect from the same date.

[No. F. 9/1/83-BO. I(4)]

नई दिल्ली, 19 फरवरी, 1983

का० आ० 1400 —राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) योजना, 1980, के खंड 3 के उपखंड (च) के अनुसरण में केन्द्रीय सरकार एतद्द्वारा भारतीय रिजर्व बैंक के परामर्श से, श्री के० पी० बस्तवार, एडवोकेट, 12 वी लाईन, बुल्लक मार्किट के समीप, इटारसी (मध्य प्रदेश) को फरवरी, 1983 के 19 वें दिन से आरम्भ होने वाली और फरवरी, 1986 के 18 वें दिन समाप्त होने वाली 3 वर्ष की अवधि के लिए विजया बैंक का निदेशक नियुक्त करती है।

[संख्या एफ० 9/48/81 बी० ओ० I]

च० वा० मीरचन्दानी, उप सचिव

New Delhi, the 19th February, 1983

S.O. 1400.—In pursuance of sub-clause (f) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri K. P. Bastwar, Advocate, 12th Line, Near Bullock Market, Itarsi (Madhya Pradesh) as a Director of the Vijaya Bank for a period of three years commencing on the 19th day of February, 1983 and ending with the 18th day of February, 1986.

[No. F. 9/48/81-BO. I]

C. W. MIRCHANDANI, Dy. Secy.

(व्यय विभाग)

नई दिल्ली, 6 जनवरी, 1983

का० आ० 1401.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में भारतीय लेखा तथा लेखापरीक्षा विभाग के निम्नलिखित कार्यालयों को जिनके कर्मचारी वृन्द ने हिन्दी का कार्य-साधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

1. महालेखाकार—I, गुजरात, अहमदाबाद
2. महालेखाकार—II, गुजरात, राजकोट
3. महालेखाकार, हिमाचल प्रदेश और चण्डीगढ़, शिमला का उप-कार्यालय, चण्डीगढ़
4. महालेखाकार (जम्मू और काश्मीर) श्रीनगर का शाखा कार्यालय, जम्मू
5. महालेखाकार, केरल, त्रिवेन्द्रम
6. महालेखाकार—I महाराष्ट्र, बम्बई
7. महालेखाकार—II, महाराष्ट्र, नागपुर
8. महालेखाकार, पंजाब चण्डीगढ़
9. निदेशक, लेखापरीक्षा वैज्ञानिक और वाणिज्यिक विभाग, बम्बई
10. निदेशक, लेखापरीक्षा, केन्द्रीय बम्बई
11. निदेशक, लेखापरीक्षा, केन्द्रीय, बम्बई का पूना शाखा कार्यालय
12. निदेशक, लेखापरीक्षा, वाणिज्यिक निर्माण कार्य और विविध नई दिल्ली का शाखा कार्यालय, बम्बई
13. डाक-तार, लेखापरीक्षा, कार्यालय, नागपुर ।
14. निदेशक, लेखापरीक्षा, मध्य रेलवे, बम्बई
15. निदेशक लेखापरीक्षा, पश्चिम रेलवे, बम्बई
16. निदेशक लेखापरीक्षा, रक्षा सेवाएं नई दिल्ली का शाखा कार्यालय, बम्बई ।
17. निदेशक, लेखापरीक्षा, रक्षा सेवाएं, नई दिल्ली का शाखा कार्यालय पूना ।
18. सदस्य, लेखापरीक्षा बोर्ड एवं पदेन निदेशक, वाणिज्यिक लेखा-परीक्षा, बम्बई ।

[सं० एफ० सी० 11021/-/82-ई० जी० I]

के० एल० मेहता, अवर सचिव

(Department of Expenditure)

New Delhi, the 6th January, 1983

S.O. 1401.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (Use for the official purposes of the Union) Rules, 1976 the Central Government hereby notifies the following offices of the Indian Audit and Accounts Department the Staff whereof have acquired the working knowledge of Hindi :—

1. Accountant General I, Gujarat, Ahmedabad.
2. Accountant General II, Gujarat, Rajkot.
3. Accountant General, Himachal Pradesh and Chandigarh, Simla Sub office at Chandigarh.
4. Accountant General, Jammu and Kashmir, Srinagar Branch office at Jammu.
5. Accountant General, Kerala, Trivandrum.
6. Accountant General-I, Maharashtra, Bombay.
7. Accountant General-II, Maharashtra, Nagpur.
8. Accountant General, Punjab, Chandigarh.

9. Director of Audit, Scientific and Commercial Deptt., Bombay.
10. Director of Audit, Central, Bombay.
11. Director of Audit, Central, Bombay Branch office at Goa.
12. Director of Audit, Commerce Works and Miscellaneous New Delhi Branch office at Bombay.
13. Posts and Telegraphs Audit Office, Nagpur.
14. Director of Audit, Central Railway, Bombay.
15. Director of Audit, Western Railway, Bombay.
16. Director of Audit, Defence Services, New Delhi Branch office at Bombay.
17. Director of Audit, Defence Services, New Delhi Branch office at Poona.
18. Member, Audit Board and Ex-officio Director of Commercial Audit, Bombay.

[No. C-11021/3/82-E.G. I]
K. L. MEHTA, Under Secy.

केन्द्रीय उत्पादन शुल्क समाहर्ता का कार्यालय : गुंटूर

अधिसूचना सं. 1/83

गुंटूर, 14 जनवरी, 1983

का. आ. 1402 :—केन्द्रीय उत्पादन शुल्क नियमावली, 1944 के नियम 5 के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए, मैं इसके द्वारा, इस समाहर्तालय में डिवीजनों के प्रभारी, केन्द्रीय उत्पादन शुल्क के सहायक समाहर्ताओं को, उनके अपने-अपने अधिकार क्षेत्र में प्रयोग किए जाने के लिए, दिनांक 27-11-1982 की अधिसूचना संख्या 283/82-कें. उ. शु. के उपबन्धों का लाभ उठाने की मांग करने वाले निर्माता को, केन्द्रीय उत्पादन शुल्क नियमावली, 1944 के नियम 56-क क(2) के अधीन अनुमति प्रदान करने की, समाहर्ता, केन्द्रीय उत्पादन शुल्क, की शक्तियां प्रत्यायोजित करता हूं ।

[फाइल सं. 4/16/1/83-एम. पी. 2]
डी. कृष्णमूर्ति, समाहर्ता

Office of the Collector of Central Excise, Guntur

NOTIFICATION NO. 1/83

Guntur, the 14th January, 1983

S.O. 1402.—In exercise of the powers vested in me under Rule 5 of Central Excise Rules, 1944, I hereby delegate the powers of Collector of Central Excise to the Assistant Collectors of Central Excise in-charge of Divisions in this Collectorate to be exercised within their respective jurisdictions, for grant of permission, under Rule 56-AA(2) of Central Excise Rules, 1944 to a manufacturer who seeks to avail of the provisions of Notification No. 283/82-CE dt. 27-11-1982.

[File C. No. IV/16/1/83.MP.2]
D. KRISHNAMURTI, Collector

समाहर्तालय : केन्द्रीय उत्पाद शुल्क : मध्य प्रदेश,

पोस्ट बैग सं. 10 : इन्दौर

अधिसूचना सं. 1/83

इन्दौर, 14 फरवरी, 1983

का. आ. 1403 :—हिन्दी अधिकारी, केन्द्रीय उत्पाद-शुल्क, समूह 'ख' के पद पर पदोन्नत होने पर श्री राज कुमार केसरवानी, वरिष्ठ हिन्दी अनुवादक, केन्द्रीय उत्पाद शुल्क ने हिन्दी अधिकारी, केन्द्रीय उत्पाद शुल्क, समूह 'ख', मुख्यालय कार्यालय इन्दौर के पद पर दिनांक 31-1-1983 (पूर्वाह्न) को कार्यभार ग्रहण कर लिया है ।

[फा. सं. 2(3)/7-गोप./77/239]

Central Excise Collectorate, M.P. Post Bag No. 10, Indore

NOTIFICATION NO. 1/83

Indore, the 14th February, 1983

S.O. 1403.—Consequent upon his ad hoc promotion as Hindi Officer, Central Excise, Group 'B', Shri Raj Kumar Kesarwani, Senior Hindi Translator, Central Excise has assumed the charge as Hindi Officer, Central Excise, Group 'B',Hqrs. Office, Indore on 31-1-83 (F.N.).

[C. No. II(3)7-Con/77/1196]

अधिसूचना सं. 2/83

का. आ. 1404 :—मध्य प्रदेश समाहर्तालय, इन्दौर के सर्वश्री एस. आर. देवधर एवं पी. एस. करजगांवकर, अधीक्षक, केन्द्रीय उत्पाद शुल्क, समूह 'ख' निवर्तन की आयु प्राप्त करने पर 31-1-1983 के अपराह्न से शासकीय सेवा से निवृत्त हुए ।

[फा. सं. 2(3)/9-गोप./83/240]
एस. के. धर, समाहर्ता

NOTIFICATION NO. 2/83

S.O. 1404.—S/Shri P. S. Karajgaonkar and S. R. Deodhar, Superintendents, Central Excise, Group 'B' of M.P. Collectorate, Indore, having attained the age of superannuation have retired from Government service in the afternoon of 31st January 1983.

[C. No II(3)9-Con/83/1197]
S. K. DHAR, Collector

वाणिज्य मंत्रालय

(वाणिज्य विभाग)

नई दिल्ली, 5 मार्च, 1983

का. आ. 1405 :—केन्द्रीय सरकार निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एतद्द्वारा मैं. डा. आर. सी. अमीन (कार्गो सुपरिन्टेन्डेन्स एण्ड सर्वेयर्स) 25-40-4, गांगुलवारी स्ट्रीट, विशाखापत्तनम को कच्ची धातु के निरीक्षण के लिए अभिकरण के रूप में एक वर्ष की अवधि के लिए मान्यता देती है ।

[सं. 5(2)/83-ई. आई. एण्ड ई. पी.]
सी. बी. कुकरेती, संयुक्त निदेशक

MINISTRY OF COMMERCE

(Department of Commerce)

New Delhi, the 5th March, 1983

S.O. 1405.—In exercise of the powers conferred by Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) the Central Government hereby recognises for a period of one year M/s. Dr. R. C. Amin (Cargo Superintendents and Surveyors) 25-40-4, Gangulvari Street, Visakhapatnam as an agency for the inspection of Iron-Ores.

[No. 5(2)/83-EI&EP]
C. B. KUKRETI, Joint Director

मुख्य नियंत्रक, आयात एवं निर्यात का कार्यालय

आदेश

नई दिल्ली, 7 फरवरी, 1983

का० आ० 1406.—श्री आर० के० शर्मा विजय भवन, विजय नगर, बिजनौर (उ० प्र०) को सामान्य मुद्रा क्षेत्र के अन्तर्गत एक .32 बोर के रिवाल्वर का आयात करने के लिए 3000/- रु० के लिए सीमा शुल्क निकासी परमिट सं० पी०/जे०/0393010/एन०/पी० एन०/84/एच०/82/ए० एल० एस० दिनांक 28-8-82 प्रदान किया गया था। प्रार्थी ने उपर्युक्त सीमा शुल्क निकासी परमिट की अनुलिपि जारी करने के लिए इस आधार पर आवेदन किया है कि मूल सीमा शुल्क निकासी परमिट खो गया/अस्थानस्थ हो गया है। यह भी बताया गया है कि उपर्युक्त सीमा शुल्क निकासी परमिट किसी भी सीमा शुल्क प्राधिकारी से पंजीकृत नहीं कराया गया था और उसका अभी तक कुछ भी उपयोग नहीं हुआ है।

2. प्रार्थी ने अपने तर्क के समर्थन में नोटरी पब्लिक, दिल्ली के सामने विधिवत् साक्ष्यांकित स्टाम्प पेपर पर एक शपथ पत्र दाखिल किया है। तदनुसार, मैं सन्तुष्ट हूं कि मूल सीमा शुल्क निकासी परमिट सं० पी०/जे०/0393010/एन०/एम० एन०/84/एच०/82/ए० एल० एस० दिनांक 28-8-82 प्रार्थी से खो गया/अस्थानस्थ हो गया है। समय-समय पर यथा संशोधित, आयात (नियंत्रण) आदेश 1955 की उप धारा 9 (सी० सी०) में प्रदत्त अधिकारों का प्रयोग करते हुए श्री आर० के० शर्मा को जारी किए गए सीमा शुल्क निकासी परमिट सं० पी०/जे०/0393010/एन०/पी० एन०/84/एच०/82-ए० एल० एस० दिनांक 28-8-82 को एतद्द्वारा रद्द किया जाता है।

3. पार्टी को सीमा शुल्क निकासी परमिट की अनुलिपि अलग से जारी की जा रही है।

[सं० 13/93/ए० एम०-83/ए० एल० एस० 4124]

जे० पी० सिंघल उप-मुख्य नियंत्रक
आयात तथा निर्यात

Office of the Joint Chief Controller of Imports and Exports

ORDER

New Delhi, the 7th February, 1983

S.O. 1406.—Shri R. K. Sharma, Vijay Bhawan, Vijay Nagar, Bijnor (U.P.) was granted a CCP No. P/J/0393010|N|MN|84|H|82|ALS dated 28-8-82 for Rs. 3,000 for import of one .32 bore revolver under GCA. The applicant has applied for issue of a Duplicate copy of the above mentioned CCP on the ground that the original CCP has been lost or misplaced. It has further been stated that the CCP was not registered with any Customs authority and as such the value of CCP has not been utilised at all.

2. In support of this contention, the licensee has filed an affidavit on stamped paper duly sworn in before the Notary Public, Delhi. I am accordingly satisfied that the original CCP N[illegible]ALS dated 28-8-82 has bee[illegible] In exercise of the powers [illegible] of the Import (Control) Order, 1955 dated 7-12-1955 as amended from time to time the said original CCP No. P/J/0393015N|MN|84|H|82|ALS dated 28-8-82 issued to Shri R. K. Sharma is hereby cancelled.

3. A duplicate copy of CCP is being issued to the party separately

[No. 13|93|AM-83|ALS|4124]

J. P. SINGHAL, Dy. Chief Controller
Imports & Exports

संयुक्त मुख्य नियंत्रक, आयात तथा निर्यात का कार्यालय

आदेश

मद्रास, 2 सितम्बर, 1982

का० आ० 1407.—सर्वश्री लियो ट्रेडर्स, 373, के० हेच०, रोड, मद्रास-12 को रुपये 10,000 तक सूखे फलों का आयात करने के लिए आयात लाइसेंस संख्या पी-इजट-1936123-सी-एक्सएक्स-82-एम-81 दिनांक 8-3-82 जारी किया गया था।

उपर्युक्त लाइसेंस सनदी लेखापाल द्वारा भूतपूर्व आयात के प्रमाणपत्र जारी करने के आधार पर प्राप्त किया गया है। उस प्रमाणपत्र के अवास्तविकता के बारे में विश्वास करने का कारण दिखाई देने से, पार्टी से यह पूछते हुए एक कारण बताओ नोटिस जारी किया गया था कि 25-6-1982 को व्यक्तिगत सुनवाई का अवसर देने के पश्चात उनको जारी किया गया लाइसेंस क्यों न रद्द कर दिया जाए। अपने मामले को स्पष्ट करने व्यक्तिगत सुनवाई के लिए पार्टी न आने के कारण, मैं इस बात से संतुष्ट हूं कि उपर्युक्त लाइसेंस गलत सनदी लेखापाल प्रमाणपत्र के आधार पर प्राप्त किया गया है और एतद्द्वारा लाइसेंस को रद्द करने की एकपक्षीय निर्णय लेता हूं।

मैं, आयात (नियंत्रण) आदेश, 1955 की धारा 9 (1) (ए) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए, सर्वश्री लियो ट्रेडर्स, 373, के० हेच० रोड, मद्रास-12 को, अप्रैल-मार्च, 1982 की अवधि के लिये रुपये 10,000 तक सूखे फलों का आयात करने के लिए जारी किये गये लाइसेंस संख्या पी-इजट-1936123-सी-एक्सएक्स-82-एम-81 दिनांक 8-3-82 को एतद्द्वारा रद्द करता हूं।

[संख्या डीएफ/1255-ए एम-82-एय 3]

टी० एन० वेंकटेश्वरन, उप मुख्य नियंत्रक, आयात तथा निर्यात

(Office of the Joint Chief Controller of Imports and Exports)

ORDER

Madras, the 2nd September, 1982

S.O. 1407.—M|s. Loo Traders, 373, K. H. Road, Madras 12, were granted Licence No. P/Z/1936123/C/XX|82|M|81 dated 8-3-82 for import of Dry Fruits for Rs. 10,000.

As there was a reason to believe that the above import licence has been obtained by producing a Chartered Accountant Certificate certifying their past imports which was not genuine, a Show Cause Notice was issued calling upon the Licence Holder to Show Cause why action should not be taken to cancel the licence giving an opportunity for a pearsonal hearing on 25-6-1982. As the Party did not turn up for a personal hearing to explain his case, I am satisfied that the above Import Licence has been obtained by fraudulent means and hereby decide to cancel the licence ex-parte.

I, in exercise of the powers vested on me in terms of clause 9(1)(a) of the Imports (Control) Order, 1955, hereby cancel the Import Licence No. P/Z/1936123/C/XX|82|M|81 dated 8-3-82 issued to M/s. Loo Traders, 373, K. H. Road, Madras 12, for import of Dry Fruits for Rs. 10,000 for April-March 1982 period.

[No. DF/1255/AM-82/AU. III]

T. N. VENKATESWARAN, Dy. Chief Controller of
Imports and Exports

संयुक्त मुख्य नियंत्रक आयात तथा निर्यात का कार्यालय, मद्रास

आदेश

मद्रास, 11 जनवरी, 1983

का. आ. 1408 :—सर्वश्री शा मालाराम मोहनलाल, 19, कासी चेट्टी स्ट्रीट, मद्रास-600001 को, रुपये 10,000 तक मूल्य के फलों का आयात करने के लिए आयात लाइसेंस संख्या पी-इज़ट-1935753-सी-एक्सएक्स-82-एम-81 दिनांक 18-1-82 जारी किया गया था ।

उपर्युक्त लाइसेंस सनदी लेखापाल द्वारा भूतपूर्व आयात के प्रमाणपत्र जारी करने के आधार पर प्राप्त किया गया है । उस प्रमाणपत्र के अवास्तविकता के बारे में विश्वास करने का कारण दिखाई देने से, पार्टी से यह पूछते हुए एक कारण बताओ नोटिस जारी किया गया था कि 23-12-82 को व्यक्तिगत सुनवाई का अवसर देने के पश्चात उनको जारी किया गया लाइसेंस क्यों न रद्द कर दिया जाए । अपने मामले को स्पष्ट करने व्यक्तिगत सुनवाई के लिए पार्टी न आने के कारण, मैं इस बात से संतुष्ट हूं कि उपर्युक्त लाइसेंस गलत सनदी लेखापाल प्रमाणपत्र के आधार पर प्राप्त किया गया है और एतद्द्वारा लाइसेंस को रद्द करने की एक-पक्षीय निर्णय लेता हूं ।

मैं, आयात (नियंत्रण) आदेश 1955 की धारा 9(1)(ए) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए, सर्वश्री शा मालाराम मोहनलाल, 19, कासी चेट्टी स्ट्रीट, मद्रास-600001 को, अप्रैल-मार्च 1982 की अवधि के लिए रुपये 10,000 तक मूल्य के फलों का आयात करने के लिए जारी किये गये लाइसेंस संख्या पी-इज़ट-1935753-सी-एक्सएक्स-82-एम-81 दिनांक 18-1-82 को एतद्द्वारा रद्द करता हूं ।

[संख्या डीएफ-758 एएम 82-एयू 3]

Office of the Joint Chief Controller of Imports and Exports, Madras

ORDER

Madras, the 11th January, 1983

S.O. 1408.—M/s. Sha Malaram Mohanlal, No. 19-Kasi Chetty Street, Madras-600 001, were granted a licence No. P/Z/1935753/C/XX/82/M/81/Jt. 18-1-82 for import of Dry Fruits for Rs. 10,000.

As there was a reason to believe that the above import licence has been obtained by producing a Chartered Accountant Certificate certifying their past imports which was not genuine, a show cause notice was issued calling upon the licence holder to show cause why action should not be taken to cancel the licence giving an opportunity for a personal hearing on 23-12-82. As the party did not turn up for a personal hearing to explain his case, I am satisfied that the above Import Licence has been obtained by fraudulant means and hereby decide to cancel the licence ex-parte.

I, in exercise of the powers vested on me in terms of Clause 9(1)(a) of the Imports (Control) Order, 1955, hereby cancel the Import Licence No. P/Z/1935753/C/XX/82/M/81 dt. 18-1-82 issued to M/s. Sha Malaram Mohanlal, 19, Kasi Chetty Street Madras-600 001 for import of Dry Fruits for Rs. 10,000 for April-March, 1982 period.

[F. No. DF/758/AM.82/AU.III]

मद्रास, 20 जनवरी, 1983

का. आ. 1409 :—सर्वश्री शा भिमचन्द चंगनलाल, 26, नारायण मुदली स्ट्रीट, मद्रास-600001 को रुपये 10,000 तक मूल्य के फलों का आयात करने के लिए आयात लाइसेंस संख्या पी-इज़ट-1935737-सी-एक्सएक्स-82-एम-81 दिनांक 5-1-82 जारी किया गया था ।

उपर्युक्त लाइसेंस सनदी लेखापाल द्वारा भूतपूर्व आयात के प्रमाणपत्र जारी करने के आधार पर प्राप्त किया गया है । उस प्रमाणपत्र के अवास्तविकता के बारे में विश्वास करने का कारण दिखाई देने से, पार्टी से यह पूछते हुए एक कारण बताओ नोटिस जारी किया गया था कि 24-12-82 को व्यक्तिगत सुनवाई का अवसर देने के पश्चात उनको जारी किया गया लाइसेंस क्यों न रद्द कर दिया जाए । अपने मामले को स्पष्ट करने व्यक्तिगत सुनवाई के लिए पार्टी न आने के कारण, मैं इस बात से संतुष्ट हूं कि उपर्युक्त लाइसेंस गलत सनदी लेखापाल प्रमाणपत्र के आधार पर प्राप्त किया गया है और एतद्द्वारा लाइसेंस को रद्द करने की एक-पक्षीय निर्णय लेता हूं ।

मैं, आयात (नियंत्रण) आदेश 1955 की धारा 9(1)(ए) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए, सर्वश्री शा भीमचन्द चंगनलाल, 26, नारायण मुदली स्ट्रीट, मद्रास-600001 को, अप्रैल-मार्च 1982 की अवधि के लिए रुपये 10,000 तक मूल्य के फलों का आयात करने के लिए जारी किये गये लाइसेंस संख्या पी-इज़ट-1935737-सी-एक्सएक्स-82-एम-81 दिनांक 5-1-82 को एतद्द्वारा रद्द करता हूं ।

[संख्या डीएफ-733एएम 82-एयू 3]

Madras, the 20th January, 1983

S.O. 1409.—M/s. Sha Bhimchand Chaganlal, 26-Narayana Mudali Street, Madras-600 001 were granted a Licence No. P/Z/1935737/C/XX/82/M/81 dated 5-1-82 for import of Dry Fruits for Rs. 10,000.

As there was a reason to believe that the above Import Licence has been obtained by producing a Chartered Accountant Certificate certifying their past imports which was not genuine, a Show Cause Notice was issued calling upon the licence holder to Show Cause why action should not be taken to cancel the Licence giving an opportunity for a personal Hearing on 24-12-82. As the party did not turn up for a personal hearing to explain his case, I am satisfied that the above Import Licence has been obtained by fraudulent means and hereby decide to cancel the licence ex-parte.

I, in exercise of the powers vested on me in terms of Clause 9(1)(a) of the Imports (Control) Order, 1955, hereby cancel the Import Licence No. P/Z/1935737/C/XX/82/M/81 dt. 5-1-82 issued to M/s. Sha Bhimchand Chaganlal, 26, Narayana Mudali Street, Madras-600 001 for import of Dry Fruits for Rs. 10,000 for April-March 1982 period.

[F. No. DF/733/AM.82/AU.III]

का. आ. 1410 :—सर्वश्री राजेश प्राविजन ट्रेडर्स, संख्या-13, कासी चेट्टी लेन, मद्रास-600001 को रुपये 10,000 तक मूल्य के फलों का आयात करने के लिए आयात लाइसेंस संख्या पी-इज़ट-1935735-सी-एक्सएक्स-82-एम-81 दिनांक 5-1-82 जारी किया गया था ।

उपर्युक्त लाइसेंस सनदी लेखापाल द्वारा भूतपूर्व आयात के प्रमाणपत्र जारी करने के आधार पर प्राप्त किया गया है । उस

प्रमाणपत्र के अवास्तविकता के बारे में विश्वास करने का कारण दिखाई देने से, पार्टी से यह पूछते हुए एक कारण बताओ नोटिस जारी किया गया था कि 22-12-82 को व्यक्तिगत सुनवाई का अवसर देने के पश्चात उनको जारी किया गया लाइसेंस क्यों न रद्द कर दिया जाए । अपने मामले को स्पष्ट करने व्यक्तिगत सुनवाई के लिए पार्टी न आने के कारण, मैं इस बात से संतुष्ट हूं कि उपर्युक्त लाइसेंस गलत सनदी लेखापाल प्रमाणपत्र के आधार पर प्राप्त किया गया है और एतद्द्वारा लाइसेंस को रद्द करने की एक-पक्षीय निर्णय लेता हूं ।

मैं, आयात (नियंत्रण) आदेश 1955 की धारा 9(1)(ए) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए, मर्वश्री राजेश प्राविजन ट्रेडर्स, 11, कासी चेट्टी लेन, मद्रास-600001 को, अप्रैल-मार्च 1982 की अवधि के लिए रुपये 10,000 तक सूखे फलों का आयात करने के लिए जारी किये गये लाइसेंस संख्या पी-इज़ट-1935735-सी-एक्सएक्स-82-एम-81 दिनांक 5-1-82 को एतद्द्वारा रद्द करता हूं ।

[संख्या डीएफ-734-एएम 82-एयू 3]

S.O. 1410.—M/s. Rajesh Provision Traders No. 11, Kasi Chetty Lane, Madras-600 001 were granted a licence No. P/Z/1935735/C/XX/82/M/81 dated 5-1-82 for import of Dry fruits for Rs. 10,000.

As there was a reason to believe that the above import licence has been obtained by producing a Chartered Accountant Certificate certifying their past imports which was not genuine, a Show Cause Notice was issued calling upon the licence Holder to show cause why action should not be taken to cancel the licence giving an opportunity for a personal Hearing on 22-12-82. As the party did not turn up for a Personal Hearing to explain his case, I am satisfied that the above Import Licence has been obtained by fraudulent means and hereby decide to cancel the licence ex-parte.

I, in exercise of the powers vested on me in terms of Clause 9(1)(a) of the Imports (Control) Order, 1955, hereby cancel the Import Licence No. P/Z/1935735/C/XX/82/M/81 dated 5-1-82 issued to M/s. Rajesh Provision Traders, 11, Kasi Chetty Lane, Madras-600001 for import of Dry Fruits for Rs. 10,000 for April-March 1982 period.

[No. DF/734/AM 82/AU.III]

का. आ. 1411 :—मर्वश्री वेंकटेश्वरा स्टोर्स, 62, नारायण मुदली स्ट्रीट, मद्रास-600001 को रुपये 10,000 तक सूखे फलों का आयात करने के लिए आयात लाइसेंस संख्या पी-इज़ट-1935781-सी-एक्सएक्स-82-एम-81 दिनांक 1-2-82 जारी किया गया था ।

उपर्युक्त लाइसेंस सनदी लेखापाल द्वारा भूतपूर्व आयात के प्रमाणपत्र जारी करने के आधार पर प्राप्त किया गया है । उस प्रमाणपत्र के अवास्तविकता के बारे में विश्वास करने का कारण दिखाई देने से, पार्टी से यह पूछते हुए एक कारण बताओ नोटिस जारी किया गया था कि 5-1-1983 को व्यक्तिगत सुनवाई का अवसर देने के पश्चात उनको जारी किया गया लाइसेंस क्यों न रद्द कर दिया जाए । अपने मामले को स्पष्ट करने व्यक्तिगत सुनवाई के लिए पार्टी न आने के कारण, मैं इस बात से संतुष्ट हूं कि उपर्युक्त लाइसेंस गलत सनदी लेखापाल प्रमाणपत्र के आधार पर प्राप्त किया गया है और एतद्द्वारा लाइसेंस को रद्द करने की एक-पक्षीय निर्णय लेता हूं ।

मैं, आयात (नियंत्रण) आदेश 1955 की धारा 9(1)(ए) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए, मर्वश्री वेंकटेश्वरा स्टोर्स, 62, नारायण मुदली स्ट्रीट, मद्रास-600001 को, अप्रैल-मार्च 1982 की अवधि के लिए रुपये 10,000 तक सूखे फलों का आयात करने के लिए जारी किये गये लाइसेंस संख्या पी-इज़ट-1935781-सी-एक्सएक्स-82-एम-81 दिनांक 1-2-82 को एतद्द्वारा रद्द करता हूं ।

[संख्या डीएफ-789-एएम 82-एयू 3]

S.O. 1411.—M/s. Venkateswara Stores, 62, Narayana Mudali Street, Madras-600001 were granted a Licence No. P/Z/1935781/C/XX/82/M/81 dated 1-2-82 for import of Dry fruits for Rs. 10,000.

As there was a reason to believe that the above import licence has been obtained by producing a Chartered Accountant Certificate certifying their past imports which was not genuine, a Show Cause Notice was issued calling upon the Licence Holder to show Cause why action should not be taken to cancel the licence giving an opportunity for a Personal Hearing on 5-1-83. As the party did not turn up for a Personal Hearing to explain his case, I am satisfied that the above Import Licence has been obtained by fraudulent means and hereby decide to cancel the licence ex-parte.

I, in exercise of the power vested on me in terms of Clause 9(1)(a) of the Imports (Control) Order, 1955, hereby cancel the Import Licence No. P/Z/193581/C/XX/82/-M/81 dated 1-2-82 issued to M/s. Venkateswara Stores, 62, Narayana Mudali Street, Madras-600001, for import of Dry Fruits for Rs. 10,000 for April-March 1982 period.

[No. DF/789/AM 82/AU.III]

आदेश

का. आ. 1412 :—मर्वश्री रामदेव प्राविजन स्टोर, 26, नारायण मुदली स्ट्रीट, मद्रास-1 को रुपये 10,000 तक सूखे फलों का आयात करने आयात लाइसेंस संख्या पी-इजट-1935736-सी-एक्स-एक्स-82-एम-81 दिनांक 5-1-1982 जारी किया गया था ।

उपर्युक्त लाइसेंस सनदी लेखापाल द्वारा भूतपूर्व आयात के प्रमाण-पत्र जारी करने के आधार पर प्राप्त किया गया है । उस प्रमाण-पत्र के अवास्तविकता के बारे में विश्वास करने का कारण दिखाई देने से, पार्टी से यह पूछते हुए, एक कारण बताओ नोटिस जारी किया गया था कि 23-12-1982 को व्यक्तिगत सुनवाई का अवसर देने के पश्चात् उनको जारी किया गया लाइसेंस क्यों न रद्द कर दिया जाए । अपने मामले को स्पष्ट करने व्यक्तिगत सुनवाई के लिए पार्टी न आने के कारण, मैं इस बात से सन्तुष्ट हूं कि उपर्युक्त लाइसेंस गलत सनदी लेखापाल प्रमाण-पत्र के आधार पर प्राप्त किया गया है और एतद्द्वारा लाइसेंस को रद्द करने की एक-पक्षीय निर्णय लेता हूं ।

मैं, आयात (नियंत्रण) आदेश, 1955 की धारा 9(1)(ए) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए, मर्वश्री रामदेव प्राविजन स्टोर, मद्रास-1 को, अप्रैल-मार्च, 1982 की अवधि के लिए रुपये 10,000 तक सूखे फलों का आयात करने के लिए जारी किए गए लाइसेंस संख्या पी-इजट-1935736-सी-एक्स-एक्स-82-एम-81 दिनांक 5-1-1982 को एतद्द्वारा रद्द करता हूं ।

[संख्या डी. एफ.-732-ए. एम 82-ए. यू.-3]

S.O. 1412.—M/s. Ramdev Provision Store, 26, Narayana Mudali Street, Madras-1, were granted a licence No. P/Z/1935736/C/XX-M-81 dated 5-1-82 for import of Dry Fruits for Rs. 10,000.

As there was a reason to believe that the above import licence has been obtained by producing a Chartered Accountant Certificate certifying their past imports which was not genuine, a Show Cause Notice was issued calling upon the Licence Holder to Show cause why action should not be taken to cancel the licence giving an opportunity for a Personal Hearing on 23-12-82. As the Party did not turn up for a Personal Hearing to explain his case, I am satisfied that the above Import Licence has been obtained by fradulent means and hereby decide to cancel the licence ex-parte.

I, in exercise of the Powers vested on me in terms of Clause 9(1)(a) of the Imports (Control) Order, 1955, hereby cancel the import licence No. P/Z/1935736/C/XX/82/M/81 dated 5-1-82 issued to M/s. Ramdev Provisions Store, Madras-1, for import of Dry Fruits for Rs. 10,000 for April—March, 1982 Period.

[No. DF/732/AM 82/AU. III]

का. आ. 1413 :—सर्वश्री भारत ट्रेडिंग कम्पनी, संख्या-4, तम्बूनाइक्कन स्ट्रीट, मद्रास-600001 को रुपये 10,000 तक सूखे फलों का आयात करने के लिए आयात लाइसेंस संख्या पी-इजट-1935817-सी-एक्स-एक्स-82-एम-81 दिनांक 8-2-1982 जारी किया गया था ।

उपर्युक्त लाइसेंस सनदी लेखापाल द्वारा भूतपूर्व आयात के प्रमाण-पत्र जारी करने के आधार पर प्राप्त किया गया है । उस प्रमाण-पत्र के अवास्तविकता के बारे में विश्वास करने का कारण दिखाई देने से, पार्टी से यह पूछते हुए, एक कारण बताओ नोटिस जारी किया गया था कि 30-12-1982 को व्यक्तिगत सुनवाई का अवसर देने के पश्चात् उनको जारी किया गया लाइसेंस क्यों न रद्द कर दिया जाए । अपने मामले को स्पष्ट करने व्यक्तिगत सुनवाई के लिए पार्टी न आने के कारण, मैं इस बात से सन्तुष्ट हूं कि उपर्युक्त लाइसेंस गलत सनदी लेखापाल प्रमाण-पत्र के आधार पर प्राप्त किया गया है और एतद्द्वारा लाइसेंस को रद्द करने की एक-पक्षीय निर्णय लेता हूं ।

मैं, आयात (नियंत्रण) आदेश, 1955 की धारा 9(1)(ए) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए, सर्वश्री भारत ट्रेडिंग कम्पनी, संख्या-4, तम्बू नाइक्कन स्ट्रीट, मद्रास-600001 को, अप्रैल-मार्च, 1982 की अवधि के लिए रुपये 10,000 तक सूखे फलों का आयात करने के लिए जारी किए गए लाइसेंस संख्या पी-इजट-1935817-सी-एक्स-82-एम-81 दिनांक 8-2-1982 को एतद्द्वारा रद्द करता हूं ।

[संख्या डी. एफ.-813ए-एम 82-ए यू-3]

S.O. 1413.—M/s. Bharat Trading Co. No 4 Thambu Naicken Strtet Madras 600001 were granted a licence no. P/Z/1935817/C/XX/82/M/81 dt. 8-2-1982 for import of dry fruits for Rs. 10000.

As there was a reason to believe that the above import licence has been obtained by producing a chartered accountant certificate certifying their past imports which was not genuine, a show cause notice as issued calling upon the licence holder to show cause why action should not be taken to cancel the licence giving an opportunity for a personal hearing on 30-12-1982. As the party did not turn up for a personal hearing to explain his case I am satisfied that the above import licence has been obtained by fradulant means and hereby decide to cancel the licence ex-parte.

I, in exercise of the powers vested on me in terms of clause 9(1)(a) of the imports control) order 1955 hereby cancel the import licence no. P/Z/1935817/C/XX/82/M/81 dt. 8-2-1982 issued to M/s. Bharat Trading Co No. 4 Thambu Naicken Street Madras-600001 for import of dry fruits for Rs. 10,000 of April-March 1982 period.

[No. DF/813/AM 82/AU- III]

का. आ. 1414:—सर्वश्री पी. एल. एन. जनरल ट्रेडर्स, 278 नेहरू टिम्बर मार्केट, मद्रास-600112 को रुपये 10,000 तक सूखे फलों का आयात करने के लिए आयात लाइसेंस संख्या पी-इजट-1935889-सी-एक्स-एक्स-82-एम-81 दिनांक 23-2-1982 जारी किया गया था ।

उपर्युक्त लाइसेंस सनदी लेखापाल द्वारा भूतपूर्व आयात के प्रमाण-पत्र जारी करने के आधार पर प्राप्त किया गया है । उस प्रमाण-पत्र के अवास्तविकता के बारे में विश्वास करने का कारण दिखाई देने से, पार्टी से यह पूछते हुए, एक कारण बताओ नोटिस जारी किया गया था कि 30-12-1981 को व्यक्तिगत सुनवाई का अवसर देने के पश्चात् उनको जारी किया गया लाइसेंस क्यों न रद्द कर दिया जाए । अपने मामले को स्पष्ट करने व्यक्तिगत सुनवाई के लिए पार्टी न आने के कारण, मैं इस बात से सन्तुष्ट हूं कि उपर्युक्त लाइसेंस गलत सनदी लेखापाल प्रमाण-पत्र के आधार पर प्राप्त किया गया है और एतद्द्वारा लाइसेंस को रद्द करने की एक-पक्षीय निर्णय लेता हूं ।

मैं, आयात (नियंत्रण) आदेश, 1955 की धारा 9(1)(ए) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए, सर्वश्री पी. एल. एन. जनरल ट्रेडर्स, 278 नेहरू टिम्बर मार्केट, मद्रास-600112 को, अप्रैल-मार्च, 1982 की अवधि के लिए रुपये 10,000 तक सूखे फलों का आयात करने के लिए जारी किए गए लाइसेंस संख्या पी-इजट-1935889-सी-एक्स-एक्स-82-एम-81 दिनांक 23-2-1982 को एतद्द्वारा रद्द करता हूं ।

[संख्या डी एफ-923-ए एम 82-ए यू 3]

S.O. 1414.—M/s. PLN General Traders 278 Nehru Timber Market Madras-600112 were granted a licence no. P/Z/1935889/C/XX/82/M/81 dt. 23-2-1982 for import of dry fruits for Rs. 10,000.

As there was a reason to believe that the above import licence has been obtained by producing a chartered accountant certificate certifying their past import was not genuine a show cause notice was issued calling upon the licence holder to show cause why action should not be taken to cancel the licence giving an opportunity for a personal hearing on 30-12-1982. As the party did not turn up for a personal hearing to explain his case I am satisfied that the above import licence has been obtained by fradulant means and hereby decide to cancel the licence ex-parte.

I, in exercise of the powers vested on me in terms of clause 9(1)(a) of the imports (control) order 1955 hereby cancel the import licence no. P/Z/1935889/C/XX/82/M/81 dt. 23-2-1982 issued to M/s. PLN General Traders 278 Nehru Timber Market Madras-600112 for import of dry fruits for Rs. 10,000 for April—March 1982 period.

[No. DF/923/AM 82/AU. III]

का. आ. 1415 :—सर्वश्री सुन्दरम एन्टरप्राइजस, 11, कामी चेट्टी लेन, मद्रास-600001 को रुपये 10,000 तक सूखे फलों का आयात करने के लिए आयात लाइसेंस संख्या पी-इजट-1935708-सी-एक्सएक्स-81-एम-81 दिनांक 30-12-81 जारी किया गया था ।

उपर्युक्त लाइसेंस सनदी लेखापाल द्वारा भूतपूर्व आयात के प्रमाणपत्र जारी करने के आधार पर प्राप्त किया गया है । उस प्रमाणपत्र के अवास्तविकता के बारे में विश्वास करने का कारण दिखाई देने से, पार्टी से यह पूछते हुए एक कारण बताओ नोटिस जारी किया गया था कि 22-12-1982 को व्यक्तिगत सुनवाई का अवसर देने के पश्चात् उनको जारी किया गया लाइसेंस क्यों न रद्द कर दिया जाए । अपने मामले को स्पष्ट करने व्यक्तिगत सुनवाई के लिए पार्टी न आने के कारण, मैं इस बात से संतुष्ट हूं कि उपर्युक्त लाइसेंस गलत सनदी लेखापाल प्रमाणपत्र के आधार पर प्राप्त किया गया है और एतद्द्वारा लाइसेंस को रद्द करने की एक-पक्षीय निर्णय लेता हूं ।

मैं, आयात (नियंत्रण) आदेश 1955 की धारा 9(1)(ए) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए, मैसर्श सुन्दरम एन्टरप्राइज़स, 11, कासी चेट्टी लेन, मद्रास-600001 को अप्रैल-मार्च, 1982 की अवधि के लिए रुपये 10,000 तक सूखे फलों का आयात करने के लिए जारी किये गये लाइसेंस संख्या पी-इज़ट-1935708-सी-एक्सएक्स-81-एम-81 दिनांक 30-12-1981 को एतद्द्वारा रद्द करता हूं ।

[संख्या डीएफ-702-एएम 82-एयू 3]

S.O. 1415.—M/s. Sundaram Enterprises 11 Kasi Chetty Lane Madras-600001 were granted a licence no. P/Z/1935708/C/XX/81/M/81 dt. 30-12-1981 for import of dry fruits for Rs. 10,000.

As there was a reason to believe that the above import licence has been obtained by producing a chartered accountant certificate certifying their past imports which was not genuine, a show cause notice was issued calling upon the licence holder to show cause why action should not be taken to cancel the licence giving an opportunity for a personal hearing on 22-12-1982. As the party did not turn up for a personal hearing to explain his case I am satisfied that the above import licence has been obtained by fradulant means and hereby decide to cancel the licence ex-parte.

I, in exercise of the powers vested on me in terms of clause 9(1)(a) of the imports (control) order 1955 hereby cancel the import licence no. P/Z/1935708/C/XX/81/M/81 dt. 30-12-81 issued to M/s. Sundaram Enterprises 11 Kasi Chetty Lane Madras-600001 for import of dry fruits for Rs. 10,000 for April—March 1982 period.

[No. DF/702/AM 82/AU III]

का. आ. 1416 :—मैसर्श दुर्गा एजन्सीज, संख्या-4, तम्बु नाइक्कन स्ट्रीट, मद्रास-600001 को रुपये 10,000 तक सूखे फलों का आयात करने के लिए आयात लाइसेंस संख्या पी-इज़ट-1935710-सी-एक्सएक्स-81-एम-81 दिनांक 30-12-81 जारी किया गया था ।

उपर्युक्त लाइसेंस सनदी लेखापाल द्वारा भूतपूर्व आयात के प्रमाणपत्र जारी करने के आधार पर प्राप्त किया गया है । उस प्रमाणपत्र के अवास्तविकता के बारे में विश्वास करने का कारण दिखाई देने से, पार्टी से यह पूछते हुए एक कारण बताओ नोटिस जारी किया गया था कि 31-12-1982 को व्यक्तिगत सुनवाई का अवसर देने के पश्चात् उनको जारी किया गया लाइसेंस क्यों न रद्द कर दिया जाए । अपने मामले को स्पष्ट करने व्यक्तिगत सुनवाई के लिए पार्टी न आने के कारण, मैं इस बात से संतुष्ट हूं कि उपर्युक्त लाइसेंस गलत सनदी लेखापाल प्रमाणपत्र के आधार पर प्राप्त किया गया है और एतद्द्वारा लाइसेंस को रद्द करने की एक-पक्षीय निर्णय लेता हूं ।

मैं, आयात (नियंत्रण) आदेश 1955 की धारा 9(1)(ए) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए, मैसर्श दुर्गा एजन्सीज, संख्या-4, तम्बु नाइक्कन स्ट्रीट, मद्रास-600001 को, अप्रैल-मार्च 1982 की अवधि के लिए रुपये 10,000 तक सूखे फलों का आयात करने के लिए जारी किये गये लाइसेंस संख्या पी-इज़ट-1935710-सी-एक्सएक्स-81-एम 81 दिनांक 30-12-1981 को एतद्द्वारा रद्द करता हूं ।

[संख्या डी एफ-704-एएम 82-एयू 3]

S.O. 1416.—M/s Durga Agencies No. 4 Thambu Naicken Street Madras-600001 were granted a licence No. P/Z/1935710/C/XX/81/M/81 dt. 30-12-81 for import of dry fruits for Rs. 10,000

As there was a reason to believe that the above import licence has been obtained by producing a chartered accountant certificate certifying their past imports which was not genuine, a show cause notice was issued calling upon the licence holder to show cause why action not be taken to cancel the licence giving an opportunity for a personal hearing on 31-12-1982 As the party did not turn up for a personal hearing to explain his case, I am satisfied that the above import licence has been obtained by fraudalent means and hereby decide to cancel the licence ex-parte.

I, in exercise of the powers vested on me in terms of clause 9(1)(a) of the imports (control) order 1955 hereby cancel the import licence no P/Z/1935710/C/XX/81/M/81 dt. 30-12-81 issued to M/s. Durga Agencies No 4 Thambu Naicken Street Madras-600001 for import of dry fruits for Rs. 10,000 for April—March 1982 period.

[No. DF/704/AM 82/AU. III]

का. आ. 1417 .—मैसर्श श्री कृष्णा एण्ड कम्पनी, संख्या-11, कासी चेट्टी लेन, मद्रास-600001 को रुपये 10,000 तक सूखे फलों का आयात करने के लिए आयात लाइसेंस संख्या पी-इज़ट-1935718-सी-एक्सएक्स-82-एम-81 दिनांक 4-1-82 जारी किया गया था ।

उपर्युक्त लाइसेंस सनदी लेखापाल द्वारा भूतपूर्व आयात के प्रमाणपत्र जारी करने के आधार पर प्राप्त किया गया है । उस प्रमाणपत्र के अवास्तविकता के बारे में विश्वास करने का कारण दिखाई देने से, पार्टी से यह पूछते हुए एक कारण बताओ नोटिस जारी किया गया था कि 22-12-1982 को व्यक्तिगत सुनवाई का अवसर देने के पश्चात् उनको जारी किया गया लाइसेंस क्यों न रद्द कर दिया जाए । अपने मामले को स्पष्ट करने व्यक्तिगत सुनवाई के लिए पार्टी न आने के कारण, मैं इस बात से संतुष्ट हूं कि उपर्युक्त लाइसेंस गलत सनदी लेखापाल प्रमाणपत्र के आधार पर प्राप्त किया गया है और एतद्द्वारा लाइसेंस को रद्द करने की एक-पक्षीय निर्णय लेता हूं ।

मैं, आयात (नियंत्रण) आदेश 1955 की धारा 9(1)(ए) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए, मैसर्श कृष्णा एण्ड कम्पनी, संख्या-11, कासी चेट्टी लेन, मद्रास-600001 को अप्रैल-मार्च, 1982 की अवधि के लिए रुपये 10,000 तक सूखे फलों का आयात करने के लिए जारी किये गये लाइसेंस संख्या पी-इज़ट-1935718-सी-एक्सएक्स-82-एम-81 दिनांक 4-1-82 को एतद्द्वारा रद्द करता हूं ।

[संख्या डीएफ-726-एएम 82-एयू 3]

S.O. 1417.—M/s. Sri Krishna & Co., No. 11, Kasi Chetty Lane, Madras-600001 were granted a Licence No. P/Z/1933718/C/XX/82/M/81 dated 4-1-82 for import of Dry Fruits for Rs. 10,000.

As there was a reason to believe that the above import licence has been obtained by producing a Chartered Accountant Certificate certifying their past imports which was not genuine, a Show cause Notice was issued calling upon the Licence Holder to show cause why action should not be taken to cancel the licence giving an opportunity for a Personal Hearing on 22-12-82. As the party did not turn up for a Personal Hearing to explain his case, I am satisfied that the above Impost Licence has been obtained by fradulant means, and hereby decide to cancel the licence ex-parte.

I, in exercise of the powers vested on me in terms of Clause 9(1)(a) of the Imports (Control) Order, 1955, hereby cancel the Import Licence No. P/Z/1935718/C/XX/82/81 dated 4-1-82 issued to M/s. Sri Krishna & Co., No. 11, Kasi Chetty Lane, Madras-600001 for import of Dry Fruits for Rs. 10,000 for April-March 1982 period.

[No. DF/725/AM 82/AU. III]

का. आ. 1418 :—सर्वश्री बसन्त ट्रेडर्स, 10, नारायण मुदली लेन, मद्रास-600001 को रुपये 10,000 तक सूखे फलों का आयात करने के लिए आयात लाइसेंस संख्या पी-इज़ट-1935734-सी-एक्सएक्स-82-एम-81 दिनांक 5-1-82 जारी किया गया था ।

उपर्युक्त लाइसेंस सनदी लेखापाल द्वारा भूतपूर्व आयात के प्रमाणपत्र जारी करने के आधार पर प्राप्त किया गया है । उस प्रमाणपत्र के अवास्तविकता के बारे में विश्वास करने का कारण दिखाई देने से, पार्टी से यह पूछते हुए एक कारण बताओ नोटिस जारी किया गया था कि 23-12-1982 को व्यक्तिगत सुनवाई का अवसर देने के पश्चात् उनको जारी किया गया लाइसेंस क्यों न रद्द कर दिया जाए । अपने मामले को स्पष्ट करने व्यक्तिगत सुनवाई के लिए पार्टी न आने के कारण, मैं इस बात से संतुष्ट हूं कि उपर्युक्त लाइसेंस गलत सनदी लेखापाल प्रमाणपत्र के आधार पर प्राप्त किया गया है और एतद्द्वारा लाइसेंस को रद्द करने की एक-पक्षीय निर्णय लेता हूं ।

मैं, आयात (नियंत्रण) आदेश 1955 की धारा 9(1)(ए) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए, सर्वश्री बसन्त ट्रेडर्स, 10, नारायण मुदली लेन, मद्रास-1 को अप्रैल-मार्च 1982 की अवधि के लिए रुपये 10,000 तक सूखे फलों का आयात करने के लिए जारी किये गये लाइसेंस संख्या पी-इज़ट-1935734-सी-एक्सएक्स-82-एम-81 दिनांक 5-1-82 को एतद्द्वारा रद्द करता हूं ।

[संख्या डीएफ-731-एएम 82-एयू 3]

S.O. 1418.—M/s. Basant Traders, 10, Narayana Mudaly Lane, Madras-600001, were granted a Licence No. P/Z/1935734/C/XX/82/M/81 dated 5-1-82 for import of Dry fruits for Rs. 10,000.

As there was a reason to believe that the above import licence has been obtained by producing a Chater Accountant Certificate certifying their past imports with was not genuine, a Show Cause Notice was issued calling upon the Licence Holder to show Cause why action should not be taken to cancel the licence giving an opportunity for a Personal Hearing on 23-12-82. As the Party did not turn up for a personal Hearing to explain his case, I am satisfied that the above Import Licence has been obtained by fraudulent means and hereby decide to cancel the licence ex-parte.

I, in exercise of the powers vested on me in terms of Clause 9(1)(a) of the Imports (Control order 1955, hereby cancel the Import Licence No P/Z/1935734/C/XX/82/M/81 dated 5-1-82 issued to M/s. Basant Traders, 10, Narayana Mudali Lane, Madras-1, for import of Dry fruits for Rs. 10,000 for April-March, 1982 period

[No DF/731/AM-82/AU. III]

1354 GI/82—3.

मद्रास, 25 जनवरी, 1983

का. आ. 1419 :—सर्वश्री राजश्री स्टोर्स, नम्बर 3, तम्बू नाइक्कन स्ट्रीट, मद्रास-600001 को रुपये 10,000 तक सूखे फलों का आयात करने के लिए आयात लाइसेंस संख्या पी-इज़ट-1935921-सी-एक्सएक्स-82-एम-81 दिनांक 26-2-82 जारी किया गया था ।

उपर्युक्त लाइसेंस सनदी लेखापाल द्वारा भूतपूर्व आयात के प्रमाणपत्र जारी करने के आधार पर प्राप्त किया गया है । उस प्रमाणपत्र के अवास्तविकता के बारे में विश्वास करने का कारण दिखाई देने से, पार्टी से यह पूछते हुए एक कारण बताओ नोटिस जारी किया गया था कि 15-1-83 को व्यक्तिगत सुनवाई का अवसर देने के पश्चात् उनको जारी किया गया लाइसेंस क्यों न रद्द कर दिया जाए । अपने मामले को स्पष्ट करने व्यक्तिगत सुनवाई के लिए पार्टी न आने के कारण, मैं इस बात से संतुष्ट हूं कि उपर्युक्त लाइसेंस गलत सनदी लेखापाल प्रमाणपत्र के आधार पर प्राप्त किया गया है और एतद्द्वारा लाइसेंस को रद्द करने की एक-पक्षीय निर्णय लेता हूं ।

मैं, आयात (नियंत्रण) आदेश 1955 की धारा 9(1)(ए) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए, सर्वश्री राजश्री स्टोर्स, 3, तम्बू नाइक्कन स्ट्रीट, मद्रास-600001 को, अप्रैल-मार्च 1982 की अवधि के लिए रुपये 10,000 तक सूखे फलों का आयात करने के लिए जारी किये गये लाइसेंस संख्या पी-इज़ट-1935921-सी-एक्सएक्स-82-एम-81 दिनांक 26-2-82 को एतद्द्वारा रद्द करता हूं ।

[संख्या डीएफ-343-एएम 82-एयू 3]

सी. जी. फेरनान्डज़, उप मुख्य नियंत्रक

आयात तथा निर्यात

Madras, the 25th January, 1983

S.O. 1419.—M/s. Rajasthan Stores No. 3, Thambu Naicken Street, Madras-600001 were granted a licence No. P/Z/1935921/C/XX/82/M/81 dated 26-2-82 for import of Dry fruit for Rs. 10,000.

As there was a reason to believe that the above import licence has been obtained by producing a Chartered Accountant Certificate certifying their past imports which was not genuine, a Show Cause Notice was issued calling upon the Licence Holder to Show cause why action should not be taken to cancel the licence giving an opportunity for a Personal Hearing on 15-1-83. As the party did not turn up for a Personal Hearing to explain his case, I am satisfied that the above Import Licence has been obtained by fradulent means and hereby decide to cancel the licence ex-parte.

I, in exercise of the Powers vested on me in terms of Clause 9(1)(a) of the Imports (Control) Order, 1955, hereby cancel the Import Licence No. P/Z/1935921/C/XX/82/M/81 dated 26-2-82 issued to M/s. Rajshree Stores, 3, Thambu Naicken Street, Madras-600001, for import of Dry fruit for Rs. 10,000 for April-March 1982 period.

[No. DF/343/AM-82/AU. III]

C. G. FERNANDEZ, Dy. Chief Controller of Imports and Exports.

ऊर्जा मंत्रालय

(पेट्रोलियम विभाग)

नई दिल्ली, 29 जनवरी, 1983

का० आ० 1420 —यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के मेहसाणा तेल क्षेत्र में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं० एस० एन० ओ० से एस० एन० पी० तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (1) में विनिर्दिष्ट कार्य दिनांक 13-11-80 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

एस० एन० ओ० से एस० एन० पी० तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का० आ० सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम, रसायन और उर्वरक मंत्रालय	संथाल	3118	14-11-81	13-11-80

[सं० 12016/66/80-प्रोड II]

MINISTRY OF ENERGY

Department of Petroleum

New Delhi, the 29th January 1983

S.O. 1420.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s SNO to SNP in Mehsana oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub section (1) of section 7 of the said Act on 13-11-80.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of right of user inland) Rules, 1963 the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipe line from D.S. SNO to SNP

Name of Ministry	Villages	S O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer	Santhal	3118	14-11-81	13-11-80

[No. 12016/66/80 Prod I]

का० आ० 1421 —यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के मेहसाणा तेल क्षेत्र में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं वेस्ट सोभासन-1 से जी जी एस -1 सोभा तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (1) में विनिर्दिष्ट कार्य दिनांक 8-4-80 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

वेस्ट सोभासन-1 से जी० जी० एस० 1 सोभ तक पाईप लाईन कार्य समाप्ती

मंत्रालय का नाम	गांव	का० आ० सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति तिथि
पेट्रोलियम रसायन और उर्वरक मंत्रालय	कूकस	3115	14-11-81	8-4-80

[सं० 12016/66/80-प्रोड II]

S.O. 1421.— Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub section (1) of section 6 of the Petroleum & Mineral Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s W. Sob. 1 to GGS 1 Sob. in Mehsana oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (1) of sub sdection (1) of section 7 of the said Act on 8-4-80.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of te mination of operation to above.

SCHEDULE

Termination of operation of Pipeline from D.S. W. Sob 1 to G.G.S. I Sob.

Name of Ministry	Villages	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer	Kukas	3115	14-11-81	8-4-80

[No. 12016/66/80-Prod II]

का० आ० 1422 —यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के मेहसाना तेल क्षेत्र में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं० दक्षिण संथाल जी० जी० एस० से उत्तर कड़ी जी० जी० एस०-I तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है ।

तेल एवं प्राकृतिक गैस आयोग द्वारा उपर्युक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (1) में विनिर्दिष्ट कार्य दिनांक 12-1-82 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाईपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम–4 के अन्तर्गत सक्षम प्राधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

दक्षिण संथाल जी० जी० एस० से उत्तर कड़ी जी० जी० एस० I तक पाइपलाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का० आ० सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम, रसायन और उर्वरक मंत्रालय	कसलपुरा	1347	3-4-82	12-1-82

[सं० 12016/40/81-प्रोड]

S. O. 1422.—Whereas by the notificaion of Government of India as shown in the schedule appended hereto and issued under sub section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended therefor to the transport of petroleum from SOUTH SANTHAL GGS to N. KADI GGS-I in Mehsana oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 12-1-82.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of operation of Pipeline from South Santhal GGS to N. Kadi GGS-I

Name of Ministry	Villages	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum Chemicals & Fertilizer	Kasalpura	1347	3-4-82	12-1-82

[No. 12016/40/81-Prod]

का० आ० 1423.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के मेहसाना तेल क्षेत्र में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं० कूप नं० 54 (एस० सी० जे०) से 49 (एस० सी० जी०) तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किए गए हैं ।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम खण्ड 7 के उपखण्ड (1) की धारा (1) में विनिर्दिष्ट कार्य दिनांक 26-8-80 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम–4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

कूप नं० 54 (एस० सी० जे०) से कूप नं० 49 (एस० सी० जी०) तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का० आ० सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम, रसायन और उर्वरक मंत्रालय	जगुदण	192	23-1-82	26-8-80

[सं० 12016/54/80- प्रोड II]

S. O. 1423.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the lands, specified in the schedule appended thereto for the transport of petroleum from d.s. Well no 54 (SEJ) to Well no 49 (Scg) in Mehsana oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 26-8-80.

Now therefore, under Rule 4 of the Petroleum Pipelines (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of oparation of Pipeline from D.S. Well nc 54 (Scj) to Well No. 49 (Scg)

Name of Ministry	Villages	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer	Jagudan	192	23-1-82	26-8-80

[No. 12016/54/80 Prod-II]

नई दिल्ली, 14 फरवरी, 1983

का० आ० 1424 —यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के कड़ी तेल क्षेत्र में उक्त विनिर्दिष्ट भूमि में व्यधम स्थल सं० जी० जी० एस० विराज से दक्षिण कड़ी सी० टी० एफ० तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

तेल एवं प्राकृतिक गस आयोग द्वारा उपर्युक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (1) में विनिर्दिष्ट कार्य दिनांक 15-3-82 से समाप्त कर गया है।

अत: अब पेट्रोलियम पाइपलाईन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अंतर्गत सक्षम प्राधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

जी० जी० एस० विराज से दक्षिण कड़ी सी० टी० एफ० तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का० आ० सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
ऊर्जा मंत्रालय पेट्रोलियम विभाग	कड़ी	1355	3-4-82	15-3-82

[सं० 12016/29/81/प्रोड]

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New Delhi, the 14th February, 1983

S.O.1424.—Whereas by the notification of Government of India as shown in the schednle appended hereto and issued under sub-section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from GGS VIRAJ to SOUTH KADI CTF in Kadi oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has te minated the operations referred to in clause (i) of sub-section (1) of section 7 o f the said Act on 15-3-82.

Now therefore, under Rule 4 of the Petroleum Pipelines (Acquisition of right of user in land) Rules, 1963, the Competent Autho.ity hereby notifies that said date as the date of termination o operation to above.

SCHEDULE

Termination o Operation o. Piepline from GGS Viraj to South Kadi CTF

Name of Ministry	Villages	S.O.No.	Date of publication in the Gazette of India	Date of termination of operation
Ptroleum, Chemicals & Fertilizer	Kadi	1355	3-4-82	15-3-82

[No. 12016/29/81-Prod.]

का० आ० 1425 —यत: पेट्रोलियम और खनिज पाईपलाईन (भूमि मे उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 3195 तारीख 23-8-82 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाईनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यत: समक्ष प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यत: केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अत: उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना मे संलग्न अनुसूची मे विनिर्दिष्ट उक्त भूमियों मे उपयोग का अधिकार पाइपलाईन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियो का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप मे, घोषणा के प्रकाशन की इस तारीख को निहित होगी।

अनुसूची

कूप सं० के० 59 से जी० जी० एस० 4

राज्य : गुजरात	जिला : मेहसाना	तालुका : कलोल		
गांव	ब्लाक नं०	हेक्टेयर	एआरई	सेन्टीयर
धमासना	882	0	18	60

[सं० 12016/34/82-प्रोड]

S.O. 1425.—Whereas by notification of the Government of India in the Ministry of Petroleum, Chemicals & Fertilizer, (Department of Petroleum) S.O. 3193 dated 23-8-82 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Governmnet;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil & Naural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Well No. K-59 to GGS IV

State : Gujarat	District : Mehsana	Taluka : Kalol		
Village	Block No.	Hec-tare	Are	Cen-tiare
Dhamasana	882	0	18	60

[No. 12016/34/82-Prod.]

का० आ० 1426:—यतः पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 3624 तारीख 7-10-82 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाईनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाईन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप से, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

कूप नं० के० ओ० डी० 19 से जी० जी० एस० 8

राज्य : गुजरात	जिला : मेहसाना	तालुका : कलोल		
गांव	ब्लाक नं०	हेक्टेयर	एआरई	सेन्टीयर
प्रतापपुरा	93	0	01	00
	94	0	17	25
	96	0	02	93
	95	0	15	90

[सं० 12016/44/82-प्रोड०]

S.O. 1426.—Whereas by notification of the Government of India in the Ministry of Petroleum, Chemicals & Fertilizer, (Department of Petroleum) S.O. 3624 dated 7-10-82 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government ;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil & Naural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Well No. KOD-19 to GGS VIII

State : Gujrat	District : Mehsana	Taluka : Kalol		
Village	Block No.	Hec-tare	Are	Cen-tiare
Pratappura	93	0	01	00
	94	0	17	25
	96	0	02	93
	95	0	15	90

[No. 12016/44/82-Prod.]

का० आ० 1427:—यतः पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम रसायन, और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 3625 तारीख 7-10-82 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइप लाईनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्रधिकारी ने उक्त अधिनियम की धारा 6 को उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाईन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

कूप नं० जे० आर० ई० से झालोरा जी० जी० एस०—I

राज्य : गुजरात	जिला : मेहसाना	तालुका : कडी		
गांव	सर्वे नं०	हेक्टेयर	एआरई	सेन्टीयर
मेरडा	1	0	08	10
	8	0	05	00
	8/1	0	01	30
	11	0	12	30

[सं० 12016/45/82-प्रोड]

S.O. 1427.—Whereas by notification of the Government of India in the Ministry of Petroleum, Chemicals & Fertilizer. (Department of Petroleum), S.O. 3625 dated 7-10-82 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government ;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Well No. JRE to JHALORA GGS—I

State : Gujarat District : Mehsana Taluka : Kadi

Village	Survey No.	Hec-tare	Are	Cen-tiare
Merda	1	0	08	10
	8	0	05	00
	8/1	0	01	30
	11	0	12	30

[No. 12016/45/82-Prod.]

नई दिल्ली, 15 फरवरी, 1983

का० आ० 1428—यत: पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 3583 तारीख 25-9-82 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाईनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यत: समक्ष प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यत: केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अत: उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग, में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

कूप नं० एन०—85 से जी० जी० एस०—III

राज्य : गुजरात	जिला : खेड़ा	तालुका : मातर		
गांव	सर्वे नं०	हेक्टेयर	एआरई	सेन्टीयर
पणसोली	85/3	0	08	10
	10/3	0	04	80
	10/4	0	05	49
	12/2	0	04	05
	15/2	0	09	45
	57/3	0	07	27
	58	0	06	20
	56	0	07	35
	55	0	08	55
	कार्ट ट्रेक	0	03	45
	24	0	05	04
	कार्ट ट्रेक	0	01	56
	54	0	04	20
	45	0	06	15
	46	0	02	17
	47	0	04	05
	48	0	13	65
	कार्ट ट्रेक	0	03	75
	39	0	07	50

[सं० 12016/43/82-प्रोड]

New Delhi, the 15th February, 1983

S.O. 1428.—Whereas by notification of the Government of India in the Ministry of Petroleum, Chemicals & Fertilizer. (Department of Petroleum), S.O. 3583 dated 25-9-82 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government);

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Well No. N-85 to GGS—III

State : Gujarat District : Kheda Taluka : Matar

Village	Survey No.	Hectare	Are	Centiare
Pansoli	85/3	0	08	10
	10/3	0	04	80
	10/4	0	05	49
	12/2	0	04	05
	15/2	0	09	45
	57/3	0	07	27
	58	0	06	20
	56	0	07	35
	55	0	08	55
	Cart track	0	03	45
	24	0	05	04
	Cart track	0	01	56
	54	0	04	20
	45	0	06	15
	46	0	02	17
	47	0	04	05
	48	0	13	65
	Cart track	0	03	75
	39	0	07	50

[No. 12016/43/82-Prod.]

नई दिल्ली, 21 फरवरी, 1983

का० आ० 1429 :—यत: केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित मे यह आवश्यक है कि महाराष्ट्र राज्य में बंबई से पूणे तक पेट्रोलियम पदार्थों के परिवहन के लिए पाईप लाईन हिन्दुस्तान पेट्रोलियम कार्पोरेशन द्वारा बिछाई जानी चाहिये।

और यत: यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिए एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अत: अब पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग का अधिकार का अर्जन) अधिनियम, 1952 (1952 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाईप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, हिन्दुस्तान पेट्रोलियम कारपोरेशन लिमिटेड, बम्बई-पूणे पाईप लाईन्स प्रोजेक्ट फ्युअल रिफायनरीज, कारिडार रोड, बम्बई-74 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टत: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

एल० ए० केस नंबर 22/83

पाईप लाईन तूर्भे से शहाबाज तक

तालुका : ठाणे, जिला : ठाणे, महाराष्ट्र

गांव	खसरा नंबर	हिस्सा नंबर	क्षेत्रफल हैक्टर = एयर
तूर्भे	00 का भाग	--	00 = 00
"	597 "	--	00 = 02
"	600 "	--	00 = 01
"	601 "	--	00 = 02
"	602 "	--	00 = 03
"	611 "	--	00 = 01
"	646 "	--	00 = 22
"	665 "	--	00 = 16
"	667 "	--	00 = 11
"	675 "	--	00 = 06
"	676 "	--	00 = 02
"	701 "	--	00 = 02
"	700 "	--	00 = 02
"	720 "	--	00 = 17
"	721 "	--	00 = 05
"	750 "	--	00 = 05
"	751 "	--	00 = 05
"	752 "	--	00 = 05
"	739 "	--	00 = 24
"	793 "	--	01 = 37
"	798 "	--	00 = 06
सानपाडा	7 2 "	--	00 = 01
"	7 4 "	--	00 = 16
"	7/13 "	--	00 = 04
"	11/5 "	--	00 = 05
"	11/6 "	--	00 = 06
"	24/1 "	--	00 = 02
"	24/4 "	--	00 = 06
"	24/5 "	--	00 = 03
"	25/1 "	--	00 = 01
"	25/2 "	--	00 = 02
"	59 "	--	00 = 10
"	60/2 "	--	00 = 05
"	60/4 "	--	00 = 13
"	60/9 "	--	00 = 03
"	61 "	--	00 = 07
"	70 "	--	00 = 03
"	84 "	--	00 = 01
बोणसूरी	1 "	--	00 = 18
"	4 "	--	00 = 08
"	6 "	--	00 = 08
"	45 "	--	00 = 04
"	34 "	--	00 = 03
"	35 "	--	00 = 09
"	36 "	--	00 = 05

गांव	खसरा नंबर	हिस्सा नंबर	क्षेत्रफल हैक्टर = रेयर
बोणसरी	00 का भाग	—	00 = 00
,,	37 ,,	—	00 = 05
,,	46 ,,	—	00 = 11
,,	31 ,,	—	00 = 34
,,	58 ,,	—	00 = 04
,,	111 ,,	—	00 = 16
,,	113 ,,	—	00 = 25
,,	116 ,,	—	00 = 11
,,	152 ,,	—	00 = 36
,,	163 ,,	—	00 = 02
,,	202 ,,	—	00 = 25
कुकशेत	37 ,,	—	00 = 04
,,	38 ,,	—	00 = 04
—	134 ,,	—	00 = 76
,,	140 ,,	—	00 = 22
,,	141 ,,	—	00 = 09
,,	143 ,,	—	00 = 04
,,	150 ,,	—	00 = 26
,,	152 ,,	—	00 = 06
,,	152 ,,	—	00 = 07
शिरवणे	152 ,,	—	00 = 08
,,	158 ,,	—	00 = 02
,,	159 ,,	—	00 = 02
,,	00 ,,	—	00 = 00
,,	162 ,,	—	00 = 12
,,	163 ,,	—	00 = 23
,,	164 ,,	—	00 = 14
,,	165 ,,	—	00 = 01
,,	166 ,,	—	00 = 07
,,	167 ,,	—	00 = 04
,,	174 ,,	—	00 = 23
,,	175 ,,	—	00 = 29
,,	176 ,,	—	00 = 18
,,	217 ,,	—	00 = 65
,,	218 ,,	—	00 = 24
,,	219 ,,	—	00 = 80
,,	220 ,,	—	00 = 18
,,	227 ,,	—	00 = 08
,,	228 ,,	—	00 = 14
,,	274 ,,	—	00 = 04
शहाबाज	373अ ,,	—	00 = 57
,,	375अ ,,	—	00 = 05
,,	373ब ,,	—	00 = 03
,,	375ब ,,	—	00 = 01
,,	376 ,,	—	00 = 10
,,	387 ,,	—	00 = 09
,,	00 ,,	—	00 = 00
,,	488 ,,	—	00 = 05
,,	487 ,,	—	00 = 05

[सं० 12016/10/33-Prod.]

New Delhi, 21st February, 1983

S.O. 1429 .—Whereas it appears to Central Government that it is necessary to lay a pipeline for transporting Petroleum Products from Bombay to Pune in the State of Maharashtra though Pipeline and that said Pipeline is to be laid through the agency of Hindustan Petroleum Corporation Limited, Bombay.

And whereas it appears to Central Government that for laying pipelline it is necessary to acquire the Right of User in respect of the lands appended to herewith in schedule.

Now therefore in exercise of the powers vested in them by virtue of Section 3 (i) of PETROLEUM and Minerals PIPE-LINES (Acquisition of Right of User in Land) AO 1962 (50 of 1962) Central Government notify their intention to acquire the Right of user in the lands referred to above.

Any person having his interest in the lands referred to above having any objection for laying the Pipe-line through above-mentioned lands may prefer an objection within 21 days of the publication of this notification before the competent authority Hindustan Petroleum Corporation Limited, Bombay-Pune Pipeline Project, Fuels Refinery, Corridor Road, Bombay-74.

All persons having any objection may also state whether they want to be heard in person either himself or through any lawyer appointed by him.

SCHEDULE

L.A. Case No. 22/83

Pipeline from Turbhe to Shahabaz

Taluka : Thana Dist. : Thana, Maharashtra

Village	Survey No./ Gat No.	Hissa No.	Area H	Area R
Turbhe	00 Part	—	00	00
,,	597 Part		00	02
,,	600 Part	—	00	01
,,	601 Part	—	00	02
,,	602 Part	—	00	03
,,	611 Part	—	00	01
,,	646 Part	—	00	22
,,	665 Part	—	00	16
,,	667 Part	—	00	1[illegible]
,,	675 Part	—	00	06
,,	676 Part	—	00	0[illegible]
,,	701 Part	—	00	02
,,	700 Part	—	00	02
,,	720 Part	—	00	17
,,	721 Part	—	00	05
,,	750 Part	—	00	05
,,	751 Part	—	00	05
,,	752 Part	—	00	05
,,	739 Part	—	00	24
,,	793 Part	-	00	37
,,	798 Part	-	00	0[illegible]
Sanpada	7 2 Part		00	01
,,	7 4 Part	—	00	16
,,	7/13 Part	—	00	04
,,	11/5 Part		00	05
,,	11/6 Part		00	06
,,	24/1 Part	—	00	02
,,	24/4 Part	—	00	06
,,	24/5 Part		00	03
,,	25/1 Part	-	00	01
,,	25/2 Part	—	00	02

Village	Survey No. Gat No.	Hissa No.	Area H	Area R
Sanpada –Contd.	59 Part	—	00	10
	60/1 Part	—	00	05
	60/4 Part	—	00	13
	60/9 Part	—	00	03
	61 Part	—	00	07
	70 Part	—	00	03
	84 Part	—	00	01
Bonsuri	1 Part	—	00	18
	4 Part	—	00	08
	6 Part	—	00	08
	45 Part	—	00	04
	34 Part	—	00	03
	35 Part	—	00	09
	36 Part	—	00	05
	37 Part	—	00	05
	46 Part	—	00	11
	31 Part	—	00	34
	58 Part	—	00	04
	111 Part	—	00	16
	113 Part	—	00	25
	116 Part	—	00	11
	152 Part	—	00	36
	163 Part	—	00	02
	202 Part	—	00	25
Kukshet	00 Part	—	00	00
	37 Part	—	00	04
	38 Part	—	00	04
	134 Part	—	00	76
	140 Part	—	00	22
	141 Part	—	00	09
	143 Part	—	00	04
	150 Part	—	00	26
	152 Part	—	00	06
	152 Part	—	00	07
Shirwane	152 Part	—	00	08
	158 Part	—	00	02
	159 Part	—	00	02
	162 Part	—	00	12
	163 Part	—	00	23
	164 Part	—	00	14
	165 Part	—	00	01
	166 Part	—	00	07
	167 Part	—	00	04
	174 Part	—	00	23
	175 Part	—	00	29
	176 Part	—	00	18
	217 Part	—	00	65
	218 Part	—	00	24
	219 Part	—	00	80
	220 Part	—	00	48
	227 Part	—	00	08
	228 Part	—	00	14
	274 Part	—	00	04
Shahabaz	00 Part	—	00	00
	373A Part	—	00	57
	375A Part	—	00	05
	373B Part	—	00	03
	375B Part	—	00	01
	376 Part	—	00	10
	387 Part	—	00	09
	488 Part	—	00	05
	487 Part	—	00	05

[12016/10/82-Prod]

का० आ० 1430 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि महाराष्ट्र राज्य में बंबई से पूणे तक पेट्रोलियम पदार्थों के परिवहन के लिए पाईप लाईन हिन्दुस्तान पेट्रोलियम कार्पोरेशन द्वारा बिछाई जानी चाहिये ।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिए एतदुपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ।

अतः अब पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमे उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है ।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, हिन्दुस्तान पेट्रोलियम कार्पोरेशन लिमिटेड, बम्बई पूणे पाईप लाईन्स प्रोजेक्ट फुअेल रिफायनरीज कारिडार रोड बम्बई को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिशः हो या किसी विधि व्यवसायी की मार्फत ।

अनुसूची

एस०ए०केस नं० 23/83

पाईप लाईन खंडाला से

तालुका : मावल, जिला : पुणे, महाराष्ट्र

गांव	खसरा नंबर	हिस्सा नंबर	क्षेत्रफल हैक्टर	क्षेत्रफल ऐयर
खंडाला	00 का भाग	-	00	00
,,	10 ,,	--	00	04
,,	13 ,,	--	00	11
,,	19अ ,,	--	00	33
,,	19फ ,,	--	00	27
,,	20 ,,	-	00	05
,,	19ब ,,	--	00	09
,,	21 ,,	--	00	02
,,	22 ,,	--	00	01
,,	23 ,,	--	00	22
,,	25अ ,,	--	00	18
,,	27 ,,	--	00	05
,,	29 ,,	--	00	35
,,	30अ ,,	--	00	11
,,	30अ 1 ,,	--	00	16
,,	30अ 2 ,,	--	00	20
,,	30अ 3 ,,	--	00	02
,,	30 ब ,,	—	00	09
,,	35 ,,	--	00	42
,,	70 ,,	--	00	60
,,	69 ,,	--	00	08
,,	84 ,,	--	00	02
,,	110 ,,	--	00	26
,,	114 ,,	—	00	24

गाव	खसरा नंबर	हिस्सा नंबर	क्षेत्रफल हेक्टर	एयर
खंडाला—जारी	113 का भाग	—	00	02
"	153अ "	—	00	08
"	154 "	—	00	16
"	155 "	—	00	09
"	157 "	—	00	31
"	158अ "	—	00	07
"	159 "	—	00	13
"	160अ "	—	00	30
"	161 "	—	00	18
"	162 "	—	00	24
"	163 "	—	00	01
"	164 "	—	00	19
"	165 "	—	00	06
"	166 "	—	00	16
"	178 "	—	00	18
"	179अ "	—	00	19
"	184अ "	—	00	13
"	184क "	—	00	06
"	183अ "	—	00	01
"	185 "	—	00	04
"	187 "	—	00	09
"	188 "	—	00	06
"	210 "	—	00	07
"	211अ "	—	00	03
"	211ब "	—	00	02
"	235 "	—	00	02
"	267 "	—	00	02

[सं 12016 / 11 / 83 प्रोड]

एल० एम० गोयल, निदेशक

S.O. No. 1430.—Whereas it appears to Central Government that it is necessary to lay a pipeline for transporting Petroleum Products from Bombay to Pune in the State of Maharashtra though Pipe-line and that said Pipe-line is to be laid through the agency of Hindustan Petroleum Corporation Limited, Bombay.

And Whereas it appears to Central Government that for laying pipe-line it is necessary to acquire the Right of User in respect of the lands appended to herewith in schedule.

Now Therefore in exercise of the powers vested in them by virtue of Section 3(i) of PETROLEUM and Minerals PIPE-LINES (Acquisition of Right of User in Land) AO 1962 (50 of 1962) Central Government notify their intention to acquire the Right of user in the lands referred to above.

Any person having his interest in the lands referred to above having any objection for laying the Pipe-line through above mentioned lands may prefer an objection within 21 days of the publication of this notification before the competent authority Hindustan Petroleum Corporation Limited, Bombay Pune Pipeline Project, Fuels Refinery, Corridor Road, Bombay-74.

All persons having any objection may also state whether they want to be heard in person either himself or through any lawyer appointed by him.

SCHEDULE

L.A. Case No. 23/83.

Pipeline Through Village KHANDALA

Taluka : Mawal Dist. Pune

Village	Survey No./ Gut No.	Hissa No.	Area H	R
Khandala	00 Part	—	00	00
	10 Part	—	00	04
	13 Part	—	00	11
	19A Part	—	00	33
	19C Part	—	00	27
	20 Part	—	00	05
	19B Part	—	00	09
	21 Part	—	00	02
	22Part	—	00	01
	23 Part	—	00	22
	25 B Part	—	00	18
	27 Part	—	00	05
	29 Part	—	00	35
	30A Part	—	00	11
	30 A1 Part	—	00	16
	30A2 Part	—	00	20
	30 A3 Part	—	00	02
	30B Part	—	00	09
	35 Part	—	00	42
	70 Part	—	00	60
	69 Part	—	00	08
	84 Part	—	00	02
	110 Part	—	00	26
	114 Part	—	00	24
	113 Part	—	00	02
	153A Part	—	00	08
	154 Part	—	00	16
	155 Part	—	00	09
	157 Part	—	00	31
	158A Part	—	00	07
	159 Part	—	00	13
	160 A Part	—	00	30
	161 Part	—	00	18
	162 Part	—	00	24
	163 Part	—	00	01
	164 Part	—	00	19
	165 Part	—	00	06
	166 Part	—	00	16
	178 Part	—	00	18
	179 A Part	—	00	19
	184A Part	—	00	13
	184 C Part	—	00	06
	183 A Part	—	00	01
	185 Part	—	00	04
	187 Part	—	00	09
	188 Part	—	00	06
	210 Part	—	00	07
	211A Part	—	00	03
	211B Part	—	00	02
	235 Part	—	00	02
	267 Part	—	00	02

[No. 12016/11/83-Prod.]

L.M. GOYAL, Director

(कोयला विभाग)

नई दिल्ली, 22 फरवरी, 1983

का० आ० 1431.—कोयला खान श्रम निर्माण निधि नियम, 1949 के नियम-3 के उपनियम (i) के खंड (क) के उपखंड (7) के साथ पठित कोयला खान श्रम कल्याण निधि अधिनियम, 1947 (1947 का 32) की धारा 8 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा श्री यू० नारायण, निदेशक (वित्त), ईस्टर्न कोलफील्डस लिमिटेड, संगतोड़िया, डाकघर दिशेरगढ़, जिला: बर्दवान (पश्चिमी बंगाल) को श्री महीप सिंह, निदेशक (कार्मिक), ईस्टर्न कोलफील्डस लिमिटेड, संगतोड़िया के स्थान पर, उपर्युक्त धारा के अधीन गठित सलाहकार समिति का सदस्य नियुक्त करती है (श्री महीप सिंह चूंकि खनिज समन्वेषण निगम लिमिटेड, नागपुर के प्रबंध निदेशक नियुक्त हो गए हैं और इस प्रयोजन के लिए श्रम मंत्रालय की सरकारी अधिसूचना सं० सा० आ० 1264 दिनांक 5 अप्रैल, 1975 में निम्नलिखित संशोधन करती है, यथा

उपर्युक्त अधिसूचना में क्रम सं० 8 के सामने की प्रविष्टि में "श्री महीप सिंह, निदेशक (कार्मिक)" शब्दों के स्थान पर "श्री यू० नारायण, निदेशक (वित्त)" शब्द प्रतिस्थापित किए जाएंगे।

[सं० यू-23025/2/81 सी० एम० डब्ल्यू०]
समय सिंह, अवर सचिव

(Department of Coal)

New Delhi, the 22nd February, 1983

S.O. 1431.—In exercise of the powers conferred by section 8 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947) read with sub-clause (vii) of clause (a) of sub-rule (i) of rule 3 of the Coal Mines Labour Welfare Fund Rules 1949, the Central Government hereby appoints Shri U. Narain, Director (Finance), Eastern Coalfields Limited, Sanctoria, P.O. Dishergarh, District Burdwan (W.B.) as Member of the Advisory Committee constituted under the said section vice Shri Mahip Singh, Directore (personnel) Eastern Coalfields Limited, Sanctoria who has now been appointed Managing Director, Mineral Exploration Corporation Limited, Nagpur, and for that purpose amends the Government notification in the Ministry of Labour No. S.O. 1264, dated the 5th April, 1975 as follows, namely :—

In the said notification, in the entries against serial number 8, for the words "Shri Mahip Singh, Director (Personnel)" the words "Shri U. Narain Director (Finance)" shall be substituted.

[No. U-23025/2/81-CMW]
SAMAY SINGH, Under Secy.

ग्रामीण विकास मंत्रालय

नई दिल्ली, 18 फरवरी, 1983

का. आ. 1432.—केन्द्रीय सरकार, कृषि उत्पाद (श्रेणीकरण और चिन्ह्नांकन) अधिनियम, 1937 (1937 का 1) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मधु श्रेणीकरण और चिन्ह्नांकन नियम, 1970 का कतिपय और संशोधन करना चाहती है। जैसा कि उक्त धारा में अपेक्षित है, प्रस्तावित संशोधनों का निम्नलिखित प्रारूप उन सभी व्यक्तियों की जानकारी के लिए प्रकाशित किया जा रहा है, जिनके उससे प्रभावित होने की सम्भावना है। इसके द्वारा सूचना दी जाती है कि उक्त प्रारूप पर इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से पैंतालीस दिन की समाप्ति पर या उसके पश्चात् विचार किया जाएगा।

इस प्रकार विनिर्दिष्ट अवधि के पूर्व नियमों के उक्त प्रारूप की बाबत जो भी आक्षेप या सुझाव किसी व्यक्ति से प्राप्त होंगे, केन्द्रीय सरकार उन पर विचार करेगी।

प्रारूप नियम

1. इन नियमों का संक्षिप्त नाम मधु श्रेणीकरण और चिह्नांकन (संशोधन) नियम, 1983 है।

2. मधु श्रेणीकरण और चिह्नांकन नियम, 1970 में—

(क) नियम 5 के उप-नियम (3) में "शुद्ध वजन" शब्दों के पश्चात् "10 ग्राम" अंक और शब्द अन्तःस्थापित किए जाएंगे।

(ख) अनुसूची 1 में,—

(1) श्रेणी अभिधान "श्रेणी क" के सामने स्तम्भ 9 में "0.90" प्रविष्टि के स्थान पर "0.95" प्रविष्टि रखी जाएगी ;

(2) श्रेणी अभिधान "मानक" के सामने स्तम्भ 9 में "0.90" प्रविष्टि के स्थान पर "0.95" प्रविष्टि रखी जाएगी ;

[सं. एफ. 10-1/82-ए. एम.]
बी. डी. टेकरीवाल, निदेशक,
(विपणन)

टिप्पण 1. प्रथम संशोधन भारत के राजपत्र भाग 2, खण्ड 3, उप-खण्ड (2), तारीख 22-10-1977 में का. आ. 3320 के रूप में कृषि और सिंचाई मंत्रालय की अधिसूचना सं. एफ. 13-10/75-ए. एम., तारीख 30-9-1977 के अधीन प्रकाशित किया गया था।

2. द्वितीय संशोधन भारत के राजपत्र भाग 2, खण्ड 3, उप-खण्ड (2), तारीख 14-11-1981 में का. आ. 3124 के रूप में ग्रामीण पुनर्निर्माण मंत्रालय की अधिसूचना सं. 10-15/79-ए. एम., तारीख 24-10-1981 के अधीन प्रकाशित किया गया था।

MINISTRY OF RURAL DEVELOPMENT

New Delhi, the 18th February, 1983

S.O. 1432.—The following draft of certain rules further to amend the Honey Grading and Marking Rules, 1970, which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), is hereby published, as required by the said section, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the expiry of a period of forty-five days from the date of publication of this notification in the Official Gazette.

Any objection or suggestions which may be received from any person with respect to the said draft before the period so specified will be considered by the Central Government.

DRAFT RULES

1. These rules may be called the Honey Grading and Marking (Amendment) Rules, 1983.

2. In the Honey Grading And Marking Rules, 1970,—

(a) in rule 5, in sub-rule (3), after the words "shall be", the figures and word "10 gms", shall be inserted;

(b) In Schedule I,—

(i) against grade designation "Grade A", in column 9, for the entry "0.90", the entry "0.95" shall be substituted;

(ii) against grade designation "Standard", in column 9, for theentry "0.90", the entry "0.95 shall be substituted.

[No. F. 10-1/82-AM]

B. D. TEKRIWAL, Director (Marketing)

Note :

1. First amendment was published under the notification No. F. 13-10/75-AM dated 30-9-1977 of the Ministry of Agriculture and Irrigation as S.O. 3320, in the Gazette of India, Part II, Section 3, Sub-Section (ii), dated 22-10-1977.

2. Second Amendment was published under the notification No. 10-15/79-AM dated 24-10-1981 of the Ministry of Rural Reconstruction, as S.O. 3124 in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 14-11-1981.

निर्माण और आवास मंत्रालय

नई दिल्ली, 11 फरवरी, 1983

का० आ० 1433—यतः निम्नांकित क्षेत्रों के बारे में कुछ संशोधन जिन्हें केन्द्रीय सरकार दिल्ली के लिए वृहद योजना में प्रस्तावित करती है तथा जिसे दिल्ली विकास अधिनियम 1957 (1957 का 61 वां) के खण्ड 44 के अनुसार दिनांक 17 जुलाई, 1982 के नोटिस सं० एफ० 20 (8)/79-एम० पी० द्वारा प्रकाशित किये गये, जिसमें उक्त अधिनियम की धारा 11-ए की उपधारा (3) में अपेक्षित/सुझाव इस नोटिस की तारीख से 30 दिन की अवधि में आमंत्रित किये गये थे।

और यतः केन्द्रीय सरकार ने उक्त संशोधनों के बारे में आक्षेप और सुझाव प्राप्त करने के पश्चात दिल्ली की वृहद योजना में संशोधन करने का निर्णय किया है।

इसलिए अब केन्द्रीय सरकार उक्त अधिनियम की धारा 11-ए की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये भारत के राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से दिल्ली की वृहद योजना में संशोधन करती है, नामतः—

संशोधन :

"विस्तृत क्षेत्र डी-1 (कनाट प्लेस एवं इसका विस्तार) में व्यवसायिक उपयोग (होटल)" हेतु विनिर्दिष्ट क्षेत्र में लगभग 0.921 हैक्ट० (2.227 एकड़) भूमि, जो उत्तर में "सार्वजनिक एवं अर्द्ध सार्वजनिक सुविधाएं (ईस्टर्न कोर्ट कम्पलेक्स)" और सामने जनपथ (45.72 मी० चौड़ा मार्ग) से घिरी है, का भूमि उपयोग "व्यावसायिक (होटल)" से बदलकर "सार्वजनिक एवं अर्द्ध सार्वजनिक सुविधाएं (केन्द्रीय तार कार्यालय) किया जाना प्रस्तावित है।"

[सं० के०-13011/4/82-डी० डी० II ए]

के० के० सक्सेना, डेस्क अधिकारी

MINISTRY OF WORKS & HOUSING

New Delhi, the 11th February, 1983

S.O. 1433.—Whereas certain modifications, which the Central Government proposes to make in the Master Plan for Delhi regarding the areas mentioned hereunder, were published with Notice No. F. 20(8)/79-MP dated the 17th July, 1982 in accordance with the provisions of section 44 of the Delhi Development Act, 1957 (61 of 1957) inviting objections/suggestions, as required by sub-section (3) of section 11-A of the said Act within thirty days from the date of the said notice;

And whereas no objections and suggestions have been received with regard to the said modifications, the Central Government have decided to modify the Master Plan for Delhi;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 11-A of the said Act, the Central Government hereby makes the following modifications in the said Master Plan for Delhi with effect from the date of publication of this modification in Gazette of India, namely :

MODIFICATION:

"The land use of an area, measuring about 0.921 Hac. (2.277 acres), out of the area earmarked for 'commercial' use (Hotel) in the Enlarged Zone D-I (Connaught Place and its extension), located in the south of 'Public and Semi-public facilities' (Eastern Court Complex) and fronting on Janpath (45.72 metre wide road) is changed from 'Commercial' (Hotel) to 'Public and Semi-Public facilities' (Central Telegraph Office)".

[No. K-13011/4/82-DDIIA]

K. K. SAXENA, Desk Officer

दिल्ली विकास प्राधिकरण

सार्वजनिक सूचना

नई दिल्ली, 5 मार्च, 1983

का.आ. 1434.—केन्द्रीय सरकार दिल्ली मुख्य योजना में निम्नलिखित संशोधन करने का विचार कर रही है, एतद्द्वारा जिसे सार्वजनिक सूचना हेतु प्रकाशित किया जाता है । इन प्रस्तावित संशोधनों के सम्बन्ध में जिस किसी व्यक्ति को कोई आपत्ति या सुझाव देना हो तो वे अपने आपत्ति या सुझाव इस सूचना की तिथि के 30 दिन के भीतर सचिव, दिल्ली विकास प्राधिकरण, विकास मीनार, इन्द्रप्रस्थ इस्टेट, नई दिल्ली के पास लिखित रूप में भेज दें । जो व्यक्ति अपनी आपत्ति या सुझाव दें, वे अपना नाम एवं पूरा पता लिखें :—

संशोधन :

(1) "क्षेत्र एफ-15 (महरौली) जो महरौली गांव के पश्चिम में स्थित है, की भूमि जो कि मुख्य योजना/क्षेत्रीय विकास योजना के अनुसार 'मनोरंजनात्मक' (क्षेत्रीय पार्क) हेतु विनिर्दिष्ट हैं, में से लगभग 17.12 है (42.33 एकड़) क्षेत्र का भूमि उपयोग बदलकर 'आवासीय उपयोग' में किया जाना प्रस्तावित है ।"

(2) "क्षेत्र एफ-15 (महरौली) जो महरौली गांव के पश्चिम में स्थित है, की भूमि जो कि मुख्य योजना/क्षेत्रीय विकास योजना के अनुसार 'मनोरंजनात्मक' हेतु विनिर्दिष्ट है, में से लगभग 2.19 है (5.42 एकड़) क्षेत्र का भूमि उपयोग बदलकर 'सार्वजनिक एवं अर्द्ध-सार्वजनिक' (कालेज) में किया जाना प्रस्तावित है ।"

2. उक्त अवधि के दौरान शनिवार को छोड़कर और सभी कार्यशील दिनों में दि.वि.प्रा. के कार्यालय विकास मीनार, इन्द्रप्रस्थ इस्टेट, नई दिल्ली में प्रस्तावित संशोधनों के नक्शे निरीक्षण के लिए उपलब्ध होंगे ।

[सं. एफ-20(33)/82-एम.पी.]

ह./- (अपठित)

सचिव,

दिल्ली विकास प्राधिकरण

DELHI DEVELOPMENT AUTHORITY

PUBLIC NOTICE

New Delhi, the 5th March, 1983

S.O. 1434.—The following modifications, which the Central Govt. proposes to make to the Master Plan/Zonal Plan for Delhi are hereby published for public information. Any person having any objection or suggestion with respect to the proposed modifications may send the objection or suggestion in writing to the Secretary, Delhi Development Authority, Vikas Minar, Indraprastha Estate, New Delhi within a period of thirty days from the date of this notice. The person making the objection or suggestion should also give his name and address :—

MODIFICATIONS :

(i) "The land use of an area, measuring about 17.12 Hec. (42.33 acres), out of the land earmarked for 'recreational' (Regional Parks) use in the Master Plan/ Zonal Development Plan for zone F-15 (Mehrauli), located in the west of village Mehrauli is proposed to be changed to 'residential' use."

(ii) "The land use of an area, measuring about 12.19 Hec. (5.42 acres), out of the land earmarked for recreational' (Regional Parks) use in the Master Plan/ Zonal Development Plan for zone F-15 (Mehrauli), located in the west of village Mehrauli is proposed to be changed to 'Public and Semi-public facilities' (College)."

2. The plans indicating the proposed modifications will be available for inspection at the office of the Authority, Vikas Minar, Indraprastha Estate, New Delhi on all working days except Saturday, within the period referred to above.

[No. F. 20(33)/82-MP]

Sd/- Illegible
Secy.
Delhi Development Authority

नागर विमानन मंत्रालय

नई दिल्ली, 5 जनवरी, 1983

का. आ. 1435.—अन्तर्राष्ट्रीय विमान पत्तन प्राधिकरण अधिनियम, 1971 (1971 का 43) की धारा 3 की उप-धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा श्री जी. एन. मेहरा, महानिदेशक, (पर्यटन) को तत्काल तथा अगले आदेशों तक श्री के. के. श्रीवस्तव के स्थान पर भारत अन्तर्राष्ट्रीय विमान पत्तन प्राधिकरण के निदेशक मण्डल में निदेशक नियुक्त करती है ।

[सं. ए. वी. 24012/1/82-ए.ए. (भाग)]

एस. वेंकोबाचार्य, अवर सचिव

MINISTRY OF CIVIL AVIATION

New Delhi, the 5th January, 1983

S.O. 1435.—In exercise of the powers conferred by Sub-section 3 of the Section 3 of the International Airports Authority Act, 1971 (43 of 1971), the Central Government hereby appoints Shri G. N. Mehra, Director General (Tourism) as Director on the Board of International Airports Authority of India with immediate effect and until further orders vice Shri K. K. Srivastava.

[No. AV. 24012/1/82-AA(Pt.)]

S. VENKOBACHAR, Under Secy.

नौवहन और परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 23 फरवरी, 1983

का. आ. 1436.—श्री ए. ए. कोचुन्नी ने, जिसे भारत सरकार के नौवहन और परिवहन मंत्रालय (परिवहन पक्ष) की अधिसूचना सं. 2343 तारीख 24 जून, 1982 द्वारा, कोचीन डाक श्रम बोर्ड के सदस्य के रूप में नियुक्त किया गया था, अपने पद से त्याग पत्र दे दिया है ;

और उक्त डाक श्रम बोर्ड में एक रिक्ति हो गई है ;

अतः, केन्द्रीय सरकार, डाक कर्मकार (नियोजन का विनियमन) नियम, 1962 के नियम 4 के उपबंधों के अनुसरण में उक्त रिक्ति को अधिसूचित करती है ।

[सं. एल.डी.एक्स/6/82-यू.एम. (एल)]

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 23rd February, 1983

S.O. 1436.—Whereas Shri A. A. Kochunny, who was appointed as a member of the Cochin Dock Labour Board by the notification of the Government of India, in the Ministry of Shipping and Transport (Transport Wing), No. 2343 dated the 24th June, 1982 has resigned from his post ;

And whereas a vacancy has occured in the said Dock Labour Board ;

Now, therefore, in pursuance of the provisions of rule 4 of the Dock Workers (Regulation of Employment) Rules, 1962, the Central Government hereby notifies the said vacancy.

[F. No. LDX/6/82-US(L)]

का. आ. 1437.—केन्द्रीय सरकार, डाक कर्मकार (नियोजन का विनियमन), नियम, 1962 के नियम 4 के उप-नियम (1) के दूसरे परन्तुक के साथ पठित, डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 5-क की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री एम. के. राघवन को, श्री ए.ए. कोचुन्नी के स्थान पर, जिसने त्यागपत्र दे दिया है, कोचीन डाक श्रम बोर्ड के सदस्य के रूप में नियुक्त करती है, और भारत सरकार के नौवहन और परिवहन मंत्रालय (परिवहन पक्ष) की अधिसूचना सं. का. आ. 2345 तारीख 24 जून, 1982 का निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में "डाक कर्मकारों का प्रतिनिधित्व करने वाले सदस्य" शीर्षक के नीचे प्रविष्टि (1) के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

"(1) श्री एम. के राघवन" ।

[एल. डी. एक्स/6/82 यू. एम. (एल.)]

तामस मेत्यू, अवर सचिव (एल)

S.O. 1437.—In exercise of the powers conferred by sub-section (3) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), read with the second proviso to sub-rule (1) of rule 4 of the Dock Workers (Regulation of Employment) Rules, 1962, the Central Government hereby appoints Shri M. K. Raghavan as a member of the Cochin Dock Labour Board vice Shri A. A.

Kochunny, who has resigned, and makes the following amendment in the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No. S.O. 2343, dated the 24th June, 1982 namely :—

In the said notification under the heading "Members representing the Dock Workers" for the entry (1) the following shall be substituted, namely :—

"(1) Shri M. K. Raghavan".

[F. No. LDX/6/82-US (L)]
THOMAS MATHEW, Under Secy.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 10 फरवरी, 1983

का० आ० 1438.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में, इस मंत्रालय के विज्ञापन और दृश्य प्रचार निदेशालय को, जिसके कर्मचारी वृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है ।

[संख्या ई०-11011/5/82-हिन्दी]

इन्दु भूषण कर्ण, अवर सचिव

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 10th February, 1983

S.O. 1438.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (Use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies the Directorate of Advertising & Visual Publicity of this Ministry, the staff whereof have acquired the working konwledge of Hindi.

[No. E-11011/5/82-Hindi]

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 16 फरवरी, 1983

का०आ० 1439.—मैट्रो रेलवे (निर्माण कार्य) अधिनियम, 1978 (1978 की संख्या 33) की धारा 16(1) के क्रम में केन्द्रीय सरकार ने पश्चिम बंगाल उच्चतर न्यायिक सेवा तथा निरीक्षण न्यायिक अधिकारी, उच्च न्यायालय अपील पक्ष, कलकत्ता के अधिकारी श्री ए०के० चटर्जी को 11 जनवरी, 1983 से मैट्रो रेलवे कलकत्ता के उक्त अधिनियम के प्रयोजनों के लिए मध्यस्थ के रूप में नियुक्त किया है ।

[संख्या 82/ई(ओ) II 25/9]

हिम्मत सिंह, सचिव
रेलवे बोर्ड तथा
भारत सरकार के पदेन संयुक्त सचिव

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 16th February, 1983

S.O. 1439.—In terms of Section 16(i) of the Metro Railways (Construction of Works) Act, 1978 (No. 33 of 1978) the Central Government appoints Shri A. K. Chatterjee an Officer of West Bengal Higher Judicial Service and Inspecting Judicial Officer, High Court, Appellate Side, Calcutta, as Arbitrator for the purposes of the said Act for Metro Railway Calcutta, w.e.f. 11th January, 1983.

[No. 82/E(O) II/25/9]

HIMMAT SINGH, Secy.
Railway Board and ex-officio Joint Secy.

संचार मंत्रालय

(डाक तार बोर्ड)

नई दिल्ली, 17 फरवरी, 1983

का. आ. 1440.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खंड 3 के पैरा (क) के अनुसार डाक-तार महानिदेशक ने नदेशरी टेलीफोन केन्द्र में दिनांक 1-3-83 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है ।

[संख्या 5-16/82-पीएचबी]

(पी. एच. ए)
आर. सी. कटारिया, सहायक महानिदेशक

MINISTRY OF COMMUNICATIONS

(P&T Board)

New Delhi, the 17th February, 1983

S.O. 1440.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specified 1st March, 1983 as the date on which the Measured Rate System will be introduced in Nandesari Telephone Exchange Gujarat Circle.

[No. 5-16/82-PHB]

R. C. KATARIA, Asstt. Director Genl. (PHB)

श्रम और पुनर्वास मंत्रालय

(श्रम विभाग)

आदेश

नई दिल्ली, 16 नवम्बर, 1982

का. आ. 1441.—केन्द्रीय सरकार की राय है कि इससे इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में भारतीय खाद्य निगम, नेल्लौर के प्रबन्धतन्त्र से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उसके कर्मकारों के बीच विद्यमान है ;

और केन्द्रीय सरकार उक्त विवाद को न्याय-निर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, अब, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उप-धारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है, जिसके पीठासीन अधिकारी श्री एम. बी. रामना रेड्डी होंगे, जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्याय-निर्णयन के लिए निर्देशित करती है ।

अनुसूची

"क्या नैलौर स्थित अपनी मार्डन राइस मिल के सम्बन्ध में नियोजकों की 17 श्रमिकों को, जिनके नाम उपाबन्ध में निर्दिष्ट है, 12-2-1982 से उनके नियोजन में न रहने की अवधि के लिए किसी प्रतिकर का संदाय न करने की कार्रवाई न्यायोचित है। यदि नहीं, तो वे किस अनुतोष के हकदार है ?"

उपाबन्ध

(1) एम. कोल्हापुरी,

(2) एम. चन्द्रम्मा,

(3) ई. वैंकुरेड्डी,

(4) एम. ए. एन. राजू,

(5) एल. वैंकैया,

(6) शेक नानासाहिब,

(7) जी. डेविड,

(8) एस. रमैया,

(9) टी. रमनसिया,

(10) एम. श्रीनिवासुलु,

(11) शेक मस्तान साहिब,

(12) बी. रामानम्मा,

(13) पी. रामानैया,

(14) शेक दस्तगिरि बशा,

(15) शेक चीना मस्तान,

(16) के. चन्द्रशेखर,

(17) ए. विजयराव।

[सं. 42012/12/82-एफ सी आई/डी-4 (ए)]

MINISTRY OF LABOUR & REHABILITATION

(Department of Labour)

ORDER

New Delhi, the 16th November, 1982

S.O. 1441.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Food Corporation of India, Nellore and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri S. V. Ramana Reddy, shall be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the action of the employers in relation to their Modern Rice Mill at Nellore in not paying any compensation to the 17 workmen, whose names are mentioned in the Annexure, for the period of their non-employment from 12th February, 1982 is justified? If not, to what relief are they entitled?"

ANNEXURE

(1) M. Kolhapuri.

(2) M. Chandramma.

(3) E. Venkureddy.

(4) M. A. N. Raju.

(5) L. Venkaiah.

(6) Shaik Nannasaheb.

(7) G. David.

(8) S. Ramaiah.

(9) T. Ramanaiah.

(10) M. Sreenivasulu.

(11) Shaik Mastan Saheb (N).

(12) G. Ramanamma.

(13) P. Ramanaiah.

(14) Shaik Dastagiri Basha.

(15) Shaik China Mastan.

(16) K. Chandrasekhar, and

(17) A. Vijayarao.

[No. L-42012/12/82/FCI/D-IV(A)]

New Delhi, the 17th February, 1983

S.O. 1442.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the management of Calcutta Port Trust, Calcutta and their workmen, which was received by the Central Government on the 8th February, 1983.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

Reference No. 53 of 1979

PARTIES:

Employers in relation to the management of Calcutta Port Trust, Calcutta.

AND

Their Workmen

APPEARANCES:

On behalf of Employers—Mr. D. K. Mukherjee, Industrial Relations Officer.

On behalf of Workmen—Mr. Asgar Ali, Vice-President of the Union.

STATE : West Bengal. INDUSTRY : Port

AWARD

The Government of India, Ministry of Labour by its Order No. L-32012(7)/78-D. IV(A) dated 18th August, 1979 sent a dispute as to "Whether the management in relation to Calcutta Port Trust, Calcutta are justified in denying the benefit to Shri Sitaram, G.P.B.O. of the revised scale of pay of Rs. 150—225 with effect from 1st April, 1969? If not to what relief is the workman concerned entitled?" to this Tribunal for adjudication.

2. When the case was taken up for peremptory hearing on 1st February, 1982 Mr. Asagar Ali Vice-President of the Union appeared and submitted that the workman is no more interested in the case. He also submitted an application to that effect praying to dispose of the reference accordingly.

In the circumstances a "No dispute" award is passed in the matter.

Dated, Calcutta,

The 2nd February, 1983.

M. P. SINGH, Presiding Officer

[No. L-32012/7/78/D. IV(A)]

आदेश

नई दिल्ली, 22 जनवरी, 1983

का. आ. 1443 :—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में पारादीप पत्तन न्यास के प्रबन्धतन्त्र से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मकारों के बीच विद्यमान है ;

और केन्द्रीय सरकार उक्त विवाद को न्याय-निर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उप-धारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है, जिसके पीठासीन अधिकारी श्री जे. एम. मोहापात्रा होंगे ; जिनका मुख्यालय भुवनेश्वर में होगा और उक्त विवाद को उक्त अधिकरण को न्याय-निर्णयन के लिए निर्देशित करती है ।

अनुसूची

"क्या पारादीप पत्तन न्यास, पारादीप के प्रबन्धतन्त्र की श्री भगवान भोई, प्रचालक श्रेणी-3 की सेवाओं को 10-9-1976 से समाप्त करने की कार्रवाई न्यायोचित है ? यदि नहीं, तो सम्बन्धित कर्मकार किस अनुतोष का हकदार है ?"

[एल.-38012/3/82-डी. 4 ए.]

टी. बी. सीतारमन, डेस्क अधिकारी

ORDER

New Delhi, the 22nd January, 1983

S.O. 1443.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Paradip Port Trust, and their workman in respect of the matters specified in the schedule hereto annexed ;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by Section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri J. M. Mohapatra shall be the Presiding Officer, with headquarters at Bhubaneswar and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the action of the management of Paradip Port Trust, Paradip in terminating the services of Shri Bhagaban Bhoi, Operator Grade-III with effect from 10th September, 1976 is justified ? If not, to what relief is the concerned workman entitled ?

[No. L-38012(3)/82-D. IV(A)]

T. B. SITARAMAN, Desk Officer.

New Delhi, the 15th February, 1983

S.O. 1444.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad, in the industrial dispute between the employers in relation to the management of Sijua Colliery of Messrs Tata Iron & Steel Company Ltd., Post Office Jamadoba, District Dhanbad, and their workmen, which was received by the Central Government on the 8th February, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under Sec. 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 77 of 1982

PARTIES :

Employers in relation to the management of Sijua Colliery of Messrs Tata Iron & Steel Company Limited, Post Office Jamadoba, District Dhanbad.

AND

Their Workmen.

APPEARANCES :

For the Employers—Shri S. S. Mukherjee, Advocate, with Shri S. N. Sinha, Group Personnel Officer (C).

For the Workman—Shri S. Bose, Secretary, Rashtriya Colliery Mazdoor Sangh.

STATE : Bihar. INDUSTRY : Coal.

Dhanbad, dated, the 3rd February, 1983

AWARD

The present reference arises out of Order No. L-20012/(245)/82-D. III(A), dated, the 2nd December, 1982, passed by the Central Government in respect of an industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows :—

"Whether the action of the management of Sijua Colliery of Messrs Tata Iron & Steel Company Ltd., Post Office Jamadoba, District Dhanbad, in not promoting Shri Shyam Kumar Prasad, Moulder to Category-VI in the year 1974 when he passed the trade test, was justified ? If not, to what relief is the said workman entitled ?"

2. The dispute has been settled out of Court. A memorandum of settlement dated 17th January, 1983/3rd February, 1983 has been filed in court. I have gone through the terms of settlement and I find them quite fair and reasonable. There is no reason why an award should not be made on the terms and conditions laid down in the Memorandum of Settlement. I accept it and make an award accordingly. The memorandum of settlement shall form part of the award.

3. Let a copy of this award be sent to the Ministry as required under Section 15 of the Industrial Disputes Act, 1947.

MANORANJAN PRASAD, Presiding Officer

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

PART OF THE AWARD

Reference No. 77 of 1982

Employers in relation to the management of Sijua Colliery of Messrs Tisco. Ltd., P.O. Jamadoba, District Dhanbad.

AND

Their workman (Sri Shyam Kumar Prasad).

The parties above named beg to submit that after discussion and on scrutiny of the relevant records, the dispute referred to the Hon'ble Tribunal for adjudication has been settled amicably on the following terms :—

(1) That the date of promotion of Sri Shyam Kumar Prasad to the post of Category VI Moulder will be from 12th July, 1973 (Twelfth July and Nineteen seventy three) instead of 1st February, 1982.

(2) That Sri Shyam Kumar Prasad will be paid the difference of wages along with other monetary benefits which may accrue to him due to his promotion in category VI from 12th July, 1973.

(3) That the above terms of settlement fully resolve the dispute pending before the Hon'ble Tribunal for adjudication.

(4) That the above terms of settlement are fair.

It is, therefore, humbly prayed that the terms of settlement may be accepted and an Award be passed in the terms thereof.

For Union

Sd/- Illegible,

Secretary R.C.M.S. Sijua Branch,
The concerned Workman
Shyam Kumar Prasad
For Employer
Sd/- Illegible,

MANORANJAN PRASAD, Presiding Officer.
[No. L-20012(245)/82-D. III(A)]

New Delhi, the 16th February, 1983

S.O. 1445.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad in the industrial dispute between the employers in relation to the management of Geological Department of Messrs Tata Iron and Steel Company Limited, At & Post Office Jamshedpur, District Singhbhum (Bihar) and their workmen which was received by the Central Government on the 9th February, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD
Reference No. 24/80

PARTIES :

Employers in relation to the management of Geological Department of M/s. Tata Iron and Steel Co. Ltd., At and Post Office Jamshedpur, Distt. Singhbhum (Bihar).

AND

Their workmen

APPEARANCES :

For the Employers—Shri T. K. Prasad, Advocate.

For the Workmen—Sri D Narsingh, Advocate.

INDUSTRY : Coal. STATE : Bihar.

1354 GI/82—5.

Dated, the 2nd February, 1983

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them u/s 10(1)(d) of the Industrial Disputes Act, 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. L-20012(11)/80-D.III(A) dated the 14th April, 1980.

SCHEDULE

"Whether the demand of the workmen of Geological Department of M/s. Tata Iron and Steel Company Ltd., At and P.O. Jamshedpur, District Singhbhum (Bihar) that the workmen mentioned in Annexure 'A' which are employed in the Geological Department of the management at Jamshedpur should be regularised as permanent is justified ? If so, to what relief are the said workmen entitled ?

ANNEXURE 'A'

Sl. No.	Name of the workers	Designation
1.	2.	3.
1.	Sri Prem Chandra Ram	Driver
2.	Sri Bindeshwari Mahato	Cat. I mazdoor
3.	Sri Nilratan Mukherjee	-do-
4.	Sri Parmeshwar Mahato	-do-
5.	Sri Ram Kishan Prasad	-do-
6.	Sri Murari Mohan Ray	-do-
7.	Sri Kishan Rajwar	-do-
8.	Sri Saralu Rajwar	-do-
9.	Sri Dubraj Kalindi	-do-
10.	Sri Bhalto Kalindi	-do-
11.	Sri Sudan Mahato	-do-
12.	Sri Gora Chand Hari	-do-
13.	Sri Nakul Bari	-do-
14.	Sri Bhajohari Rajwar	Guard
15.	Sri Anandi Bouri	Cat. I mazdoor
16.	Sri Gorachand Mahato	-do-
17.	Sri Sahadeo Ram	-do-
18.	Sri Tanu Bouri	Guard
19.	Sri Kanhai Bouri	Mazdoor
20.	Sri Raflque Ahmed	-do-
21.	Sri Anwar Hussain	-do-
22.	Sri Kali Charan Mahato	-do-
23.	Sri Motilal Manjhi	-do-
24.	Sri Sarkar Chauhan	-do-
25.	Sri Rohan Mahato	-do-
26.	Sri Rohani Mahatowan	-do-
27.	Sri Upend Nath Mandal	-do-
28.	Sri Subodh Banerjee	-do-
29.	Sri Ashok Kumar Chakravorty	-do-
30.	Sri Baid Nath Mahato	-do-
31.	Sri Kanhari Ram	-do-
32.	Sri Dilip Sarkar	Mazdoor-cum-Clerk
33.	Sri Fagu Rajwar	Mazdoor."

2. The case of the workmen is that the Tata Iron and Steel Co. Ltd. (TISCO Ltd.) has a special department or section under its coal mines which specialises in exploring possibility of excavating various minerals like coal etc. and in the District of Dhanbad it has got six coal mines and coal properties round about them where it is interested to find more places for its extraction. This process according to the union is

ancillary or incidental to raising more coal with a view to produce more steel. This exploration work for finding coal is done in the TISCO coal mines although the team of workers is appointed from Jamshedpur which is the main headquarters of the TISCO. The working team work here in the coal mine although they do not stick to any one area and move from one area to another. It is submitted that nevertheless they are permanent employees of the TISCO and not merely casual or temporarily since their work is not of a casual or temporary nature.

3. It is further stated that the nature of work of the workmen is permanent but the management with some ulterior motive causes break in their service for any one day in a week so that they may be deprived of their continuance for years. It is also stated that different persons are employed at different places only to debar the concerned workmen of the right which they have got. The concerned workmen claim to be workmen in a mine and it is stated that they have been doing their job since 1973 or 1974. The concerned workmen claim that they are not casual workers and as the work is continuous they are entitled to be regularised as permanent workers in a mine. Their main demand thus is for their permanent status and proper wages from the management.

4. The management viz. the Geological Department of the TISCO has contested the claim and one of the defence taken is that the Bihar Colliery Kamgar Union which has sponsored the dispute is neither the representative nor recognised union and as such it has got no locus-standi to raise the present dispute and so the Reference is not maintainable. It is also contended that the management is not awared if the concerned workmen are members of that union and if by any resolution made by the workmen this union was authorised to raise the dispute.

5. The main defence, however, is that the Geological Department is an independent organisation of TISCO having its Central Office at Jamshedpur and this Department is headed by the Superintendent and under him are Asstt. Superintendent, Drilling Engineers and Sr. Geologists etc. It is stated that the work of the Geological Department is merely exploratory in character and its functions are to determine whether certain mineral occurs in an area and if so at what depth, its quality, the quantum and estimated reserves and that it is only after the ascertainment of these factors that a decision can be undertaken to commence the mining operations and that the department engages workmen for the said work which is essentially of a temporary nature. The workmen appointed by the department are controlled by the officers and technical staff of that organisation.

6. It is also submitted that the Geological Department do not carry out any mining operations nor the workmen engaged temporarily work under the control or supervision of the Manager of the colliery. On the above submissions it is stated that the Central Government is not the appropriate Government and so the present reference made by the Central Government is not competent in law.

7. According to the management the Geological Department not only take up work in exploration of coal but also carries on exploratory work in other minerals like Iron Ore, Manganese Ore, Lime-stone, Dolomite Chromite etc. and the work ends with the completion of exploratory work.

8. It is however stated that the Geological Department undertook the exploratory work at Bhelatand Colliery belonging to the TISCO in the year 1974 for determining of the depth, quality, quantum and the estimated reserves and it was completed sometime in the year 1979 and thereafter the work at Bhelatand was wound up and the workmen engaged therein were disbanded on payment of their legal dues. The concerned workmen, according to the management were purely temporary and casual and so there can be no question of regularising them as permanent. It is submitted that the work of the Geological Department of the TISCO are similar to that being carried out by the Geological Survey of India and the Mineral Exploration Corporation and that local people are recruited for work in a particular area and their services continue till the completion of that work. Accordingly the concerned workmen who were local people were recruited for Bhelatand Camp and they were disbanded as soon as the work was over.

9. On the above grounds it is prayed that the demand of the workmen that they should be regularised as permanent is unjustified and no relief can be given to them.

10. The point for consideration is as to whether the demand of the workmen for their regularisation as permanent is justified. If so to what relief are the said workmen entitled.

11. The very first question which arises for consideration is as to whether the Central Government has jurisdiction to refer the present dispute and whether the Central Government is the appropriate Government Section 2(a) of the Industrial Disputes Act defines the word 'Appropriate Government'. It says that besides other factors the Central Government is the appropriate Government in respect of any dispute regarding a mine. The word 'mine' has been defined under the same section of the Act and mine means a mine as defined U/s 2 of the Mines Act. Section 2(j) of the Mines Act has defined the word 'mine' which means any excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on and includes other things as metioned therein. Section 2(h) of the Mines Act says that a person is said to be employed in a mine who works under appointment by or with the knowledge of the manager whether for wages or not, in any mining operation, or in cleaning or oiling any part of any machinery used in or about the mine or in any other kind of work whatsoever incidental to, or connected with, mining operations.

12. It is therefore to be seen as to whether the concerned workmen can be said to be the workman under the Mines Act and whether they can be said to be a workman working in a mine.

13. The very Reference would show that the dispute exists between the employers in relation to the management of Geological Department of TISCO and their workmen. Thus it is apparent that the concerned workmen are or were employees whether casual or temporary under the Geological Department of TISCO. The question, therefore, is as to whether the work conducted by the Geological Department of TISCO can be said to be the work in a mine.

14. The union has examined only one witness viz. WW-1 Sri Bindeshwari Mahato, one of the concerned workmen. He has stated that he worked in Bhelatand Colliery as Driller Helper and that the job performed by him and other workmen was connected with the colliery and that he was stopped from doing that work from September, 1979 because they wanted higher wages. This work, according to him, was carried on from some distance from the colliery office. Though this witness has stated that their attendances were noted in the colliery office and payments were also made from the colliery office but this fact is not correct.

15. On the other hand the management has also examined three witnesses and they have all stated the work performed by the Geological Department. MW-1 Sri S. S. Sharma is a Sr. Geologist and he has stated that the function of the Geological Department is to explore minerals, to find its existence, reserves quality etc. and that this department is not concerned to one mine only but it is for different minerals for different parts of the country and for different organisations also. He has further stated that the department first open a Camp at a particular place, transfer the permanent staff from any other Camp to the new place and employ local people to do unskilled work on casual and work-charge basis. Their budget is also sanctioned from Jamshedpur and payments are also made by the officers of Geological Department from the Camp Office. Attendances are maintained by the person Incharge of the Camp and that the nature of work is purely temporary from starting to end with exploration work. He has further stated that the Geological Department is wholly independent for various mines and minerals departments of TISCO. According to him the concerned workmen were purely casual employees and they never worked for six months or 240 days in a year. MW-2 is Sri J. M. Sinha, Driller who worked in Bhelatand Exploration Camp as a Driller. He has stated the casual labourers were paid by him in cash from the Tent Office at Bhelatand and the Tent Office was away from the colliery office. According to him his services are governed by TISCO and they have nothing to do with any mine. Similar is the evidence of MW-3

another driller who has also stated that they have to work in different districts in exploration of different kinds of mines and that they had nothing to do with the colliery of Bhaelatand.

16. A large number of documents have been filed on behalf of the management to show that the concerned workmen have nothing to do with the Bhelatand mine and they are not connected with any mining operation and were paid by the Geological Department at its Camp at Bhelatand. Ext. M-1 series are the Central Attendance Registers and Ext. M-2 series are the master rolls filed for casual workers for the relevant period. These documents would indicate that the concerned workmen were casual workers and they never completed 240 days. Further the Appointment Register Ext. M-30 would show that they were appointed on different dates for a temporary period and there are cases which would show that a particular workman was appointed on a particular date left his service and then he was again appointed when he came back. The date of discharge etc. are also given in this register. This is a Labour Appointment Register for the year 1976-77.

17. The learned Advocate for the workmen has challenged the genuineness of this register on the ground that the word TISCO is not printed on it and the register is not a printed one. But there is no evidence to show that such Appointment Registers are prescribed on any printed form. Moreover the register in question bears the thumb impression or signature of the workmen concerned and so its authenticity cannot be doubted. This register would show that the concerned workmen were taken in casual labours only for sometime till the exploration work at Bhelatand ended. The pay sheets as also impress cash register would show that the payment to these workmen was made from the Bhelatand Camp by the Geological Department of TISCO.

18. There are also other documents to show that the permanent employees of this department has nothing to do with the colliery and then leave applications or transfers were all made by the Geological Department of TISCO. They are Exts. M-13, M-11, M-23 and M-24, M-20, M-8, M-21 and M-14 to M-19. Ext. M-12 is the annual report and Ext. M-27 operation budget of this department. Ext. M-29 is the pay roll of the permanent staff. All the above documents thus clearly indicate that this department has nothing to do with the Bhelatand mine and that the concerned workmen were casual workers under this department. This fact has also been made clear by certain letters addressed to the A.L.C. (Exts. W-1 and W-2). Ext. W-4 is the failure report. Ext. M-4 is another letter to the A.L.C. by the Divisional Manager Collieries which shows that the colliery has nothing to do with this department or the work performed by this department and similar is the letter Ext. M-5 dated 16-6-79 sent by the Geological Department to the A.L.C.

19. Besides these documents, Ext. M-6 is a letter by the concerned workmen to the Sr. Geologist wherein they prayed for some advance and designated themselves as casual workers of the said department.

20. Thus all the above documents clearly go to prove that the concerned workmen were casual workers under the Geological Department of TISCO. Not a single chit of paper has been filed on behalf of the worker to show that they were ever connected with the Bhelatand mine. The appointment of these workmen was apparently made by the Geological Department and they never worked under appointment or with the knowledge of the Manager of a mine and so they cannot be said to be person working in a mine.

21. The claim of the workmen, therefore, that they worked in the mine or was connected with the mining operations is not proved. The question, however is as to whether the job performed by the Geological Department can be said to be the job of a mine. As stated earlier, mine means any excavation where any operation for the purpose of searching or for obtaining minerals is being carried on. The Geological Department apparently do not perform any mining operation nor there is any excavation at the place where their job is performed. Their main duty is for exploration only as stated by the management witnesses and their job can utmost be said to be a job which is a precedent to a mining operation. The Geological Department does not excavate any coal or does any work which can be said to be connected with mining operation and in that view of the matter the work performed by Geological Department cannot be said to be a work in a mine.

22. On behalf of the workmen certain letters have been filed which is in respect of raising the dispute as also the failure report. No document has been filed on behalf of the workmen to show that they have worked for 240 days in a year. Further they themselves have admitted to be a casual workman.

23. The management has also filed Notification No. SO 3699 dated 22-11-1965 issued by the Government of India creating exemptions U/s. 83(1) of the Mines Act which reads as follows :

> "S.O. 3699—In exercise of the powers conferred by Sub-Section (1) of 83 of Mines, Act, 1952 (35 of 1952) and in supersession of the notification of the Govt. of India in the Ministry of Labour and Employment Nos. G.S.R. 975 dated the 11th August, 1960 and S.O. 633 dated the 7th February, 1964, the Central Govt. hereby exempts the parts of mines and clauses of persons specified in column (1) of the Schedule hereto annexed from the operation of the provisions of the said Act as are specified in the corresponding entry in column, (2) thereof, subject to the condition, if any, specified in the corresponding entry in columns (3) thereof.

SCHEDULE

Name of Mines and classes of persons exempted	Provisions from which exemption is granted	Condition attached to exemption
(1)	(2)	(3)
13. Mines (other than Oil mines) wherein not more than fifty persons are employed and where only prospecting operations are being carried by means of drilling.	All provisions of the Mines Act, 1952 except those contained in Secs. 7, 8, 9, 44, 45, and 46.	

Thus in view of this notification also the present reference is not maintainable. There is no evidence of the union that the Geological Department engages more than fifty persons.

24. Another plea has been taken by the management that the sponsoring union has no locus-standi to raise the dispute and that the concerned workmen are not members of that union and that there is no resolution authorising the union to take up the dispute. Relevant documents concerning these are with the union but they have not been filed to controvert the above point. Even WW-1 has not case to say that he is a member of this union and that the union was authorised by any resolution to raise the dispute. The Reference is, thus, not sustainable on this score also.

25. Considering the entire documents and evidence of the case on record, I hold that the concerned workmen are not workmen in a mine and that the job of the Geological Department of TISCO is also not connected with a mine and hence on these two grounds the appropriate Government is not the Central Govt. to refer the dispute before this Tribunal. It was only the State Govt. which has got this jurisdiction. Further as the concerned workmen are not workmen in a mine, hence their claim for regularisation before this Tribunal is not maintainable. The Reference is accordingly decided in favour of the management.

26. I give my award accordingly.

J. N. SINGH, Presiding Officer

[No. L-20012(11)/80-D.III(A)]

New Delhi, the 21st February, 1983

S.O. 1446.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Govindpur Area No. III of Messrs Bharat Coking Coal Limited, Post Office Sonardih, District Dhanbad and their workmen, which was received by the Central Government on the 17th February, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 111 of 1982

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

PARTIES:

Employers in relation to the management of Govindpur Area No. III of M/s. Bharat Coking Coal Limited, Post Office Sonardih, District Dhanbad.

AND

Their workmen.

APPEARANCES:

On behalf of the employers—Shri B. Joshi, Advocate.

On behalf of the workmen—Shri S. Bose, Secretary, K.C.M.S., Dhanbad.

STATE: Bihar. INDUSTRY: Coal.

Dhanbad, the 14th February, 1983

AWARD

This is an industrial dispute under Section 10 of the I.D. Act, 1947. The Central Government by its Order No. L-20012(131)/82-D.III(A) dated the 14th September, 1982 has referred this dispute to this Tribunal for adjudication on the following terms:—

SCHEDULE

"Whether the action of the management of Govindpur Area No. III of Messrs Bharat Coking Coal Limited, Post Office Sonardih, District Dhanbad in not promoting Shri A. K. Sahay to Clerical Special Grade is in conformity with the promotion policy in force and is justified If not, to what relief is the workman concerned entitled ?"

On receipt of the Reference notices were duly sent to the parties for filing their Written Statement. Thereafter several dates were fixed by this Court for filing Written Statement by the parties. On 29th January, 1983 both parties appeared and submitted that the reference is under process of settlement and one more date be given. Accordingly time was granted and this case was fixed on 11-2-83. Parties appeared and filed a memorandum of settlement on 11-2-83. I find that the terms of the settlement are fair and proper and beneficial to the concerned workman. According to the terms of settlement the management agrees to promote the concerned workman Shri Ashok Kumar Sahai from Clerical Grade-A to Special grade counting his seniority to special grade effective from 1-3-81 with difference of wages for the period from 1-3-81 and also agrees to fix his basic salary in special grade at Rs. 780 P.M. payable with effect from 1-3-81. Since the settlement is for the benefit of both the parties I accept the same and pass the Award in terms of the settlement which will form a part of the Award as an Annexure.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL NO. 2 AT DHANBAD

Reference No. 111 of 1982

Employers in relation to the management of Govindpur Area M/s. Bharat Coking Coal Limited;

AND

Their Workmen.

Petition of compromise.

The humble petition on behalf of the parties above named most respectfully sheweth:

1. That without prejudice to the respective contentions of the parties contained in the their written statements, the parties above named have amicably settled the dispute on the following terms:—

TERMS OF SETTLEMENT:

(a) The management agrees to promote the concerned workman Shri Ashok Kumar Sahai from Clerical Grade-I to Special grade counting his seniority in special grade effective from 1-3-81 with difference of wages for the period from 1-3-81.

(b) The Management agrees to fix his basic salary in special grade at Rs. 780 P.M. (Rupees Seven hundred eighty) payable with effect from 1-3-81.

(c) The concerned workman agrees not to claim any difference of wages on other benefits for the period prior to 1-3-81.

(d) That in view of this settlement there remains nothing to be adjudicated.

It is therefore, humbly prayed that the settlement may kindly be accepted and Award may be passed in terms of the settlement.

For the Workmen

Sd/- Illegible,

Sd/- Illegible,

Sd/- Illegible,

For the Employers
Sd./- Illegible,
General Manager,
Govindpur Area.
Sd./- Illegible,
Personnel Manager,
Govindpur Area.

DECLARATION

I, Shri Ashok Kumar Sahai, the concerned workman do hereby declare and state that I have carefully read the terms of the settlement and have fully understood the same and I fully agree with the terms of the settlement.
Sd/- Illegible.

Signature of the concerned Workman.

We certify that the concerned workman has signed in our presence.

Sd/- Illegible,
Personnel Manager,
Govindpur Area.

Sd/-
Suresh Kumar Gupta,
Secretary of the Union.

J. P. SINGH, Presiding Officer.

[No. L-20012/131/82-D.III(A)]

A. V. S. SARMA, Desk Officer

New Delhi, the 17th February, 1983

S.O. 1447.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Girmint Colliery of Messrs Eastern Coalfields Limited, and their workmen, which was received by the Central Government on the 14th February, 1983.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO 3, DHANBAD

Reference No. 86/82

PARTIES :

Employers in relation to the management of Girimint Colliery of M/s. Eastern Coalfields Ltd., P.O. Charanpur, Dist. Burdwan.

AND

Their workman

APPEARANCES :

For the Employers—Sri M. Mukherjee.

For the workman—None.

STATE : West Bengal. INDUSTRY : Coal.

Dated. the 5th February, 1983

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/s. 10(1)(d) of the industrial Disputes Act, 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. L-19012 (75)/82. D.IV(B) dated the 19th August, 1982.

SCHEDULE

"Whether the action of the Agent, Girimint Colliery of M/s. Eastern Coalfields Ltd., P.O. Charanpur, Dist. Burdwan in not designating Shri Gobind Bouri working as Mali for the last 8 years and paying the wages of Category II as per N.C.W. A-II is justified ? If not, to what relief the workman concerned is entitled ?"

2. On 4-2-1983 both the parties have filed a joint petition of compromise duly signed on their behalf and they pray that an award be passed in terms of the settlement.

3. I have gone through the settlement which is beneficial for the workman.

4. In the circumstances the award is passed in terms of the settlement which shall form part of the award.

Enc : Settlement.

BEFORE THE HON'BLE PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3 DHANBAD

In the matter of reference No. 86 of 1982

PARTIES :

Employers in relation to the management of Girimint Colliery of E.C.L., P.O. Charanpur, Dist. Burdwan.

AND

Their Workmen

Most respectfully both the parties beg to state as follows :—

(1) That the above dispute has been fixed for hearing to-day the 4th day of February, 1983

(2) That the above dispute has been amicably settled between the parties on the following terms and conditions :—

(a) That the workman concerned Sri Gobind Bouri will be regularised by the management from Cat. I. General Mazdoor to Mali Cat. II of N.C.W.A.-II with immediate effect.

(b) That the workman will be entitled to get a sum of Rs. 500 (Rupee Five hundred only) from the management as lump-sum amount towards full and final settlement of all his outstanding dues.

(c) That the parties will bear their respective cost.

Hence it is prayed :—

That the Hon'ble Tribunal may be pleased to pass an Award accordingly by petition as a part of the Award. And : duty bound, shall ever pray.

For & on behalf of the workman. For & on behalf of the Management.

Sd/- Illegible Sd/- Illegible

J. N. SINGH, Presiding Officer.

[No. L-19012(75)/82/D IV(B)]

S.O. 1448.—In pursuance of the section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Jaykaynagar Colliery of Messrs Eastern Coalfields Ltd., and their workmen. which was received by the Central Government on the 14th February, 1983.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO 3, DHANBAD

Reference No. 22/81

PARTIES :

Employers in relation to the management of Jaykaynagar Colliery of Eastern Coalfields Ltd., P.O. Jayakaynagar, Dist. Burdwan.

AND

Their workman

APPEARANCES :

For the Employers—Shri R. S. Murthy, Advocate.

For the workman—Shri C. S. Mukherjee, Advocate.

INDUSTRY : Coal STATE : West Bengal

Dated, the 4th February, 1983

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/s. 10(1)(d) of the Industrial Disputes, Act, 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. L-19012(45)/80-D.IV(B) dated the 16th May, 1981.

SCHEDULE

"Whether the denial of grade II (Clerical) to Shri Harihar Prasad Srivastava, Pay Clerk/Cashier of Jaykaynagar Colliery by the mangement of Jaykaynagar Colliery of Eastern Coalfields Ltd., P.O. Jaykayanagar, Dist. Burdwan and termination of the services of the workman with effect from the 31st July, 1979 were justified ? If not, to what relief is the workman concerned entitled and from what date ?"

2. From the facts of the case it will appear that originally Aluminium Corporation Ltd., at Jaykaynagar and the Jaykaynagar Colliery belonged to one owner. The case of the workman is that he was employed on the roll of the Aluminium Corporation Ltd., and since Jaykaynagar Colliery was a captive mine of the said Corporation he had been wroking as a Pay Clerk of the Jaykaynagar Colliery since 1946. After the take over of the colliery by the Govt. the workman was maintained on the Jakaynagar Colliery roll and was being paid a sum of Rs. 250 per month as a Pay Clerk-cum-Cashier. He had also executed a Fidelity Bond of Rs. 50,000 for handling a cash of Rs. 80,000 per month and one of the keys

of the non safe used to remain with him. It is stated that as a Pay Clerk he had to sign all the pay sheets of the colliery since his appointment.

3. It is then alleged that the salary of the workman fell far short of the pay and grade of a Cashier (GradeII). He made several representations from time to time for bringing his pay and scale in conformity with other clerks of the colliery but to no effect. Thereafter he baycotted his own pay for about six months and the management terminated his services with effect from 31-7-1979 without paying his arrears pay or retrenchment compensation and on industrial dispute was thereafter raised which resulted in the present Reference.

4. The defence of the management is that the concerned workman was previously employed as a Clerk in the factory of Aluminium Corporation of India Ltd., and as that was a factory the appropriate Govt. under the Industrial Disputes Act is the State Govt. The concerned workman was given the designation Asstt. Cashier on 15-2-1971 and he continued with the same designation and grade till the closure of that factory on 15-9-1973. It is further stated that the Jaykaynagar colliery also belonged to the said Aluminium Corporation of India but it is denied that it was its captive mine. The colliery was nationalised with effect from 1-5-1973 along with other non-coking coal mines in the country and the management was taken over by the Central Govt. It is submitted that when the colliery and the factory were under the same management in the private sector prior to take over the concerned workman as an employee of the factory also used to make payment of wages on a few days in a month to the workers of the Laykaynagar colliery but his name was never shown on the rolls of the colliery by the erstwhile management nor it was included in the list of workers given to the Coal Mines Authority Ltd., when the management of the colliery was taken over by the Govt. The aluminium factory was closed on 15-9-73 and between 15-9-73 and 14-9-73 the concerned workman as an employee of the said company and factory continued to make payment of wages on a few days of the month to the workers of the colliery on the understanding that the Coal Mines Authority would pay a certain amount in this respect to the Aluminium Corporation of India and adjustment in this respect will be made in the accounts relating to supply of coal by the colliery to the factory in question. It is submitted that the concerned workman was at no time the employee of the colliery and his name was not borne on the rolls of the colliery, but it was on the rolls of the factory where he was contributing to the Employees Provident Fund Establishment under the scheme applicable to the factory.

5. It is then stated that sometime after the closure of the factory the workman concerned approached the management of the colliery to allow him to work as contractor for payment of wages to the workers on a few days in a month on a consolidated amount. Accordingly by a letter dated 23-4-74 he was engaged as a contractor to disburse payment to colliery workers at an agreed amount of Rs. 250 per month and that such disbursement was required to be made only for a few days in a month. At that relevant time also the concerned workman continued to be an employee of Aluminium Corporation of India.

6. The further case of the management is that this engagement as a contractor was discontinued with effect from 31-7-79. The management of the factory, however, was later on taken over by the Central Govt, by Order dated 1-5-78 and there was a memorandum of settlement dated 24-4-79 between the new management of the factory and their workmen in which it was agreed that the workmen who are in employment of the factory prior to its closure would be taken in employment by the factory and accordingly the concerned workman was also given employment as Asstt. Cashier there which he accepted and he is working there as such since 3-1-81. It is also stated that the concerned workman is still having the same Provident Fund number and is getting all the benefits in the Aluminium Factory. Thus according to the management there was never any relationship of employer and employee and that the concerned workman is not entitled to the relief as claimed. It is also stated that the concerned workman never raised any dispute regarding allowing him Grade II and the only dispute raised was of giving him employment.

7. On the above grounds it is prayed that the reference be decided in favour of the management.

8. The point for consideration is as to whether the denial of Grade II to the concerned workman and termination of his service with effect from 31-7-79 are justified. If not, to what relief the workman is entitled ?

9. As stated earlier it is admitted that previously the Aluminium Corporation as well as the Jaykaynagar Colliery were under the same management. Though the workman has stated in his written statement that the colliery was a captive mine of the Aluminium Corporation but this fact is not borne out from the record. Ext. M-7 (Coal despatch register), Ext. M-8 (Wagon allotment register), Ext. M-9 series (counterfoil of coal sale) coupled with the evidence of MW-1 who was Manager of the colliery, it will be seen that the colliery was not a captive mine of the factory but the colliery used to supply coal to private persons also. It is however admitted that the concerned workman used to disburse pay of the workers of the colliery also but according to the management he was all along an employee of the Aluminium Factory. It is in evidence of MW-1 that prior to nationalisation the factory and the colliery had some common services like Sanitation, Security, Canteen and payment of wages etc. which continued after nationalisation also and the employees engaged in the Common services even after nationalisation continued to be employees of the factory and the factory was paying to the staff of the common services till September, 1973 and the colliery used to debit its share in the price of coal supplied to the factory.

10. It is admitted by the concerned workman WW-1 that he never signed on the attendance register of the colliery and he never got any L.T.C. railway fare, attendance bonus etc. from the colliery. Ext. M-1 is a letter dated 23-4-74 by which the concerned workman got his appointment under the colliery. It reads as follows :

> "You have been engaged by us purely on temporary part-time basis to disburse payments to colliery workers on a monthly ad hoc remuneration of Rs. 250 per month.
>
> Please note that this arrangement is only temporary till the lock-out declared by Aluminium Corporation of India Ltd., is lifted and in no way confers any right or title on you to claim by you employment or any other privilege from Coal Mines Authority Ltd.
>
> Please confirm by signing a copy of this letter."

Thus from a perusal of this letter it is clear that a temporary arrangement was made by the colliery for payment to the staff and for this the concerned workman was only to get ad hoc remuneration of Rs. 250 per month and this arrangement never conferred any right on him to claim employment or any other privilege from the Coal Mines Authority Ltd.

11. Ext. M-2 is a settlement dated 24-4-79 between the present management and the workman of the Aluminium Factory. This agreement was arrived at when the factory was taken over by the Govt. As per this settlement the old employees were to be taken by the factory. Ext. M-3 is copy of another memorandum of settlement which shows that the employment of the concerned workman was regulated by the factory in terms of memorandum of settlement Ext. M-2. Thus by this settlement the concerned workman became a full-time worker under the factory. The concerned workman accepted the services of the factory vide Ext. M-4 after his medical examination Ext. M-5 was held. Thus the concerned workman is a regular employee of the factory but inspite of it he has claimed grade and employment under the colliery also He can on no account claim double employment.

12. Further from the documents and record it will appear that the concerned workman was all along an employee of the factory and his name was never on the colliery rolls

Ext. M-11 is the list of permanent workmen of the colliery as on 31-1-1973 which was made over to the Central Govt. at the time of take over of the colliery. Now if the concerned workman would have been under the colliery his name must have appeared in it. The genuineness of this list has not been challenged. All these documents as also the evidence of WW-1 clearly indicate that there was never any relationship of employer and employee between the colliery and the concerned workman and that under a temporary arrangement he was asked to do certain work on some ad hoc payment, may be in the capacity of a contractor or otherwise. The workman himself has admitted in paragraph 8 that there was a settlement between the management of the factory and the workman by which the management agreed to take back the old employees and that he also got the employment letter from the management of the factory and he joined his duty as per appointment letter. He has also stated that he will claim gratuity from the factory from the date of appointment till retirement. It is also admitted by him that he is a member of Employees Provident Fund applicable to the factories and this Provident Fund is still continuing. In such circumstances on no imagination it can be held that the concerned workman was ever a workman under the colliery.

13. In such circumstances the present management was fully justified in terminating the services of the concerned workman in view of the letter of appointment Ext. M-1 given to him.

14. So far as the denial of grade II is concerned the question does not arise as there was never any relationship of employer and employee between the parties. Further no dispute was ever raised by the concerned workman regarding grade. Ext. M-6 is a letter which the union wrote to the A.L.C. and from this letter it will appear that the dispute was for refusal of employment only. Ext. W-1 is a letter dated 23-6-79 written by the concerned workman to the General Manager and here also the demand was for employment only. Ext. W-2 is another letter dated 31-1-81 written to the A.L.C. by the Vice-President of union and there also the subject matter was for refusal of employment only. Thus it will appear that no dispute regarding grade was ever raised by the concerned workman.

15. Considering the entire evidence and facts and circumstances of the case, I held that the denial of Grade II and termination of the services of the concerned workman is fully justified and the concerned workman is not entitled to any relief.

16. I give my award accordingly

I. N. SINGH, Presiding Officer

[No. L-19012(45)/80-D.IV]

New Delhi, the 24th February, 1983

S.O. 1449.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the management of Coal India Limited, North Eastern Coalfields, Margherita, Assam and their workmen, which was received by the Central Government on the 17th February, 1983.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 37 of 1981

PARTIES :

Employers in relation to the management of M/s. Coal India Limited, North Eastern Coalfields, Margherita Assam.

AND

Their Workmen

APPEARANCES :

On behalf of Employers—Mr. M. N. Kar, Advocate.

On behalf of Workmen—Mr. M. K. Gupta, Advocate.

STATE : Assam INDUSTRY : Coal

AWARD

By Order No. L-24012(14)/81-D. IV(B) dated 5th September, 1981, the Government of India, Ministry of Labour sent to this Tribunal the following disptue for adjudication :

"Whether the action of the management of M/s. Coal India Ltd., North Eastern Coalfields P.O. Margherita Assam in dismissing Shri K. Simachalam, Regd. No. 3539 from services with effect from 6-10-80 is justified ? If not to what relief is the workman entitled ?"

2. The case has been heard under Section 11A of the Industrial Disputes Act, 1947. In this case the main facts are not in dispute. The concerned workman K. Simachalam was a coal-cutter at Tipong Colliery. He was in occupation of quarter No. 149 in Tipong township from November 1976 but in June 1980 he forcibly occupied another quarter of the company No. 341 which had been allotted to one Sailen Mech by the House Allotment Committee on 29 May 1980. Despite two notices which were marked as Exts M-3 and M-4 dated 18/19 June 1980 and 2nd July 1980 respectively he did not vacate. He thus disobyed the lawful orders passed by the management. The management then issued chargesheet against him on 12-7-1980 under clause 10(1)(c) of the Company's certified Standing Orders and held domestic enquiry. Sri S. K. Sarkar was the Enquiry Officer. The management examined two witnesses to prove the forcible occupation of the quarter No. 341. No witness was produced by the delinquent. The enquiry Officer by his report (Ext M-7) dated 26-8-80 found Simachalam guilty of the charge framed against him. The management accepted that finding and dismissed him with effect from 6 October 1980.

3. The main argument advanced on behalf of the concerned workman is that the latrine and the drain of his quarter No. 149 were totally damaged, that it had become unserviceable and unhyginic and in spite of request from time to time the management paid no heed and hence he had to enter into another type-II quarter No. 341. My attention was drawn to some of the letters purported to have been written by the workman concerned to the management. I do not agree with this contention. A quarter used to be allotted by the House Allotment Committee consisting of members from both the management and the Union representative. The allotment depended upon avilability of quarters. The concerned workman had no right to forcibly occupy another quarter. In the present case forcible occupation of another quarter by him is an admitted fact. The Welfare/Personnel Officer Nagendra Kalita (MW-1) before the Enquiry Officer verbally ordered him to vacate the quarter in June 1980. This is also an admitted fact. He refused to vacate. Then on 19-6-80 the Manager of Tipong Colliery issued a letter in writing asking him to vacate. He did not vacate. Another witness, Inspector I Sarmah (MW-2) went to the spot on 25-6-80 for verification as to whether the quarter had been vacated. He found that it had not been vacated The delinquent declined cross-examination of both the witness. The management issued a second letter dated 2 July 1980 asking him to vacate. Still he did not vacate. He thus disobeyed the lawful order passed by the management. The learned Advocate appearing for the workman contended that it was not a lawful order. I do not agree. In my opinion the orders passed by the Officers of the Government Company were lawful orders. Though the orders were passed in 1980, the delinquent have not vacated the quarters and is still in possession. His conduct of declining to obey lawful orders by not vacating the quarter No. 341 amounts to insubordina-

tion and indiscipline and he is guilty of insubordination. The finding of the Enquiry Officer as to the guilt of the concerned workman is supported by evidence. His conclusion on merits of the case, therefore, cannot be interferred with. The punishment of dismissal in the facts and circumstances of the case cannot be called harsh and it needs no interference.

4. In the result my Award is that the action of the management of M/s. Coal India Limited, North Eastern Coalfields, Assam in dismissing Sri Simachalam, Registered No. 3539 from service with effect from 6 October 1980 is justified. It follows that the workman is not entitled to any relief.

Dated, Calcutta,
The 8th February, 1983.

M. P. SINGH, Presiding Officer.

[No. L-24012(14)/81-DIV.(B)]

New Delhi, the 25th February, 1983

S.O. 1450.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Jamuria A & B Pits Colliery under Sripur Area of Messrs Eastern Coalfields Limited, and their workmen, which was received by the Central Government on the 19th February, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 6/81

PARTIES :

Employers in relation to the management of Jamuria A&B Pits Colilery under Sripur Area of M/s. Eastern Coalfields Ltd., P.O. Nandi, Dist. Burdwan.

AND

Their workman

APPEARANCES :

For the Employers—Sri B. N. Lala, Advocate.

For the Workman—None.

INDUSTRY : Coal. STATE : West Bengal

Dated, the 11th February, 1983

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/s. 10 (1)(d) of the Industrial Disputes Act, 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. L-19012(68)/80-D.IV(B) dated the 17th March, 1981.

SCHEDULE

"Whether the management of M/s. Eastern Coalfields Ltd., P.O. Nandi, Dist. Burdwan in relation to their Sripur Area, Jamuria A&B Pits Colliery were justified in not taking Shri Raj Kumar Nunia in their direct employment ? If not, to what relief is the concerned workman entitled and from what date ?"

2. From the record of the case it will appear that after several adjournments and notices the case became ready for hearing on 17-3-82. The case was adjourned to 12-4-82 for hearing. On that date though the management was present but none was present for the union and hence the case was again adjourned to 11-5-82. From 11-5-82 it was adjourned to 21-6-82, but on that day also the union was absent. On the next date i.e. 16-8-82 the union sent a petition for time by post. The prayer was allowed and the case was adjourned to 30-9-82 for hearing. On that date also the union did not appear but again sent a petition for time. The case was adjourned to 12-11-82 but on that date also though the Secretary of the union was present but he was not ready. Accordingly the case was adjourned to 20-12-82. On 20-12-82 the management was present and one Sri B. N. Chatterjee, Secretary of the union was also present but he was not ready and submitted that the case will be represented by Sri S. Bose on behalf of the union. But till that date no authority of Sri Bose had been filed.

3. Thus it will appear that though the Reference was registered in this Court on 28-3-81 but for about 1-1/4 years or more the union did not become ready nor filed even any authority of any Advocate. However, on the request of the union the case was next adjourned to 4-1-83 for hearing. On that date though the management was present and the workman also came but he was not ready to proceed nor any authority of Sri S. Bose was filed. However, as a last chance the case was adjourned to 9-2-83 for hearing and parties were told that no further time will be allowed on any account. But on 9-2-83 though the management was present but the workman or the union against remained absent and did not take any step.

4. From the above circumstances it is clear that the union has absolutely no interest with the case and it was not feasible for the Court to grant any further adjournment. Sufficient latitude was given to the parties to come ready for hearing but to no effect.

5. In the circumstances there is no alternative but to pass a 'no dispute' award in this case.

J. N. SINGH, Presiding Officer

[No. L-19012(68)/80-D.IV(B)]

S.O. 1451.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Bejdih Methani Patmohana Collieries of Messrs Eastern Coalfields Limited, and their workmen, which was received by the Central Government on the 19th February, 1983.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CALCUTTA

Reference No. 48 of 1982

PARTIES :

Employers in relation to the management of Bejdih Methani-Patmohana Collieries of Messrs Eastern Coalfields Limited.

AND

Their Workmen

APPEARANCES :

On behalf of Employers—Mr. B. N. Lala, Advocate, with Mr. S. K. Choudhury, Dy. Personnel Manager.

On behalf of Workmen—The workman himself, and Mr. S. Roy, Advocate—for the Union.

STATE : West Bangal INDUSTRY : Coal

AWARD

By Order No. 19012(13)/82-D.IV(B) dated 27th April, 1982 the Government of India, Ministry of Labour sent the following dispute for adjudication to the Central Government Industrial Tribunal No. 3, Dhanbad which was later on transferred to this Tribunal by Order No. S-11025(5)/82-D.IV(B) dated 11th October, 1982 :

"Whether the demand of the workman for regularisation and payment of difference wages to Shri Lalan Singh working as Typist-cum-Clerk since June '80 in the Bejdih Colliery of Messrs Eastern Coalfields Limited, Burdwan is justified ? If so, to what relief is the workman concerned entitled ?"

2. When the case was taken up for first hearing today, the employer is represented by Sri B. N. Lala, Advocate while the workman concerned Sri Lalan Singh himself is present. He files a petition stating that he approached the employer to settle the matter amicably and the employer having agreed to such a proposal, he is no more interested

in pursuing the case and prays that a "No dispute" award be passed in the matter. Shri S. Roy, Advocate is present on behalf of the Union and he states that the Union will not stand in the way of the workman.

In the circumstances a 'No dispute' award is passed and the case is disposed off as such.

Dated, Calcutta,
14th February, 1983. M. P. SINGH, Presiding Officer.
[No. L-19012(13)/82-D-IV(B)]

New Delhi, the 26th February, 1983

S.O. 1452.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Amritnagar Colliery of Eastern Coalfields Limited, and their workmen, which was received by the Central Government on the 19th February, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 45/81

PARTIES :

Employers in relation to the management of Amritnagar Colliery of Eastern Coalfields Ltd.

AND

Their workmen

APPEARANCES :

For the Employers—Shri N. Das, Advocate,

For the Workmen—None.

STATE : West Bengal INDUSTRY : Coal.

Dated, the 11th February, 1983

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/s. 10(1)(d) of the Industrial Disputes Act, 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. L-19011(6)/81-D.IV(B) dated the 23rd September, 1981.

SCHEDULE

"Whether the following demands of the workmen are justified :

(a) Payment of difference of wages between Cat. IV and Cat. II in respect of 10 workmen of Damoda(N) Colliery as per Annexure-A designated as Driller Helper but worked as Driller for the period from 1-1-73 to 31-12-76 ;

(b) Payment of Cat. IV wages to the three Fan Attendants of Damoda(N) Colliery as per Annexure-B who had been working as Switch Board Attendant in addition to their work of Fan Attendant with effect from 1-1-79;

(c) Regularisation of Shri Rameswar Nath Pandey as Cap Lamp Issuer in Cat. III with effect from 1-1-75;

(d) Categorisation of Mohammad Mia as Hammer Man with effect from 1-1-75; and

(e) Categorisation of Ramsukh Rajbhar and Rajeswar Singh as Peon and Loading Chaprasi respectively.

If so, to what relief are the workmen concerned entitled?

ANNEXURE—A

1. Ram Lakhan Mandal
2. Ram Kumar Bhagat
3. Madhu Pal
4. Ram Bilash Lala
5. Mata Prasad Singh
6. Guljar Mandal
7. Bhaba Roy
8. Mohammad Murtuja
9. Ram Chandar Mandal
10. Ram Bhadur Mukhia

ANNEXURE B

1. Ijahar Mandal
2. Nagesar Singh
3. Fuleshar Singh.

2. The Reference was received and registered in this Court on 29-9-81. From the record it appears that the union remained absent on several dates and several notices to the union in this case were issued but the union never cared to come ready for hearing. Finally on 4-1-83 when the union did not appear on that date still the case was adjourned to 10-2-83 for hearing as a last chance to the parties. The union was informed by registered notice but inspite of the notice the union or the workmen did not care to turn up. It is apparent, therefore, that the union or the workmen have got no interest with the case.

3. In the circumstances a 'no dispute' award is passed.

J. N. SINGH, Presiding Officer.
[No. L-19011(6)/81-D.IV(B)]
S. S. MEHTA, Desk Officer.

New Delhi, the 16th February, 1983

S.O. 1453.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur (M.P.) in the industrial dispute between the employers in relation to the State Bank of India, Bhopal, and their workmen, which was received by the Central Government on the 10-2-83.

BEFORE JUSTICE SHRI S. R. VYAS (RETD.), PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR, (M.P.)

Case Ref. No. CGIT/LC(R)(28)/1978

PARTIES :

Employers in relation to the management of State Bank of India Local Head Office, Bhopal and their workman, Shri B. K. Unde, represented through the State Bank of India, and Subsidiary Banks Employees Union, C/o State Bank of India, Indore (M.P.)

APPEARANCES :

For workman.—Shri P. S. Nair, Advocate.

For Bank.—S/Shri Gulab Gupta and G. C. Jain, Advocate.

INDUSTRY : Bank DISTRICT : Bhopal (M.P.)

AWARD

Dated, the 4th February, 1983

Vide Government of India, Ministry of Labour, Notification No. L-12012/128/76-D.II(A) dated 23rd/26th May, 1978 the following disptue has been referred to this Tribunal for adjudication under Sec. 10(1)(d) of the Industrial Disputes Act, 1947 :—

"Whether the action of the management of the State Bank of India Local Head Office, Bhopal in

dismissing Shri B. K. Unde Official-in-charge, Jawar Sub-Office, Ashta Branch of the Bank w.e.f. 27-8-1975 is justified ? If not to what relief is the workman entitled ?"

2. Briefly stated the facts giving rise to this reference are these. Shri B. K. Unde, the workman, hereinafter referred to as the workman, was the Officer-in-charge of Jawar Sub-Office of the Ashta Branch of the State Bank of India, hereinafter referred to as the Bank. During the course of some transactions at the Sub-Office the workman was found to have committed certain irregularities. He was, therefore, suspended on 23-7-1971. The suspension was followed by the charge-sheet on 15-9-1972. There was a domestic enquiry in which the Enquiry Officer submitted his report on 21-2-1975. After show cause notice on 16-6-1975 an order for dismissal was passed against him on 27-8-1975. An appeal to the Bank's Appellate Authority was unsuccessful. The workman therefore raised an industrial dispute. The Government of India initially on 15-11-1975 refused to refer the said disptue for adjudication but by a later order dated 26-5-1978 referred the aforesaid dispute to this Tribunal for adjudication.

3. I shall shortly refer to the nature of the charges framed against the workman, his replies to these charges, the manner in which the enquiry was held against him resulting in the order of dismissal and the subsequent proceedings which took place but before I do so I may briefly state the progress of the proceedings before this Tribunal as reference to them appears to be necessary.

4. The reference order was received by this Tribunal on 29-5-1978 and parties were directed to file their statements on 15-6-1978. Submission of the statements and rejoinders was completed by 5-1-1979 when three issues were framed for trial, the first two of which were preliminary issues.

5. Further progress of the adjudication proceedings was as under before my learned predecessors :—

24-1-1979—Workman examined one witness.

17-4-1979—Workman examined himself and closed his evidence. Bank examined one witness and closed its evidence.

20-6-1979—My learned predecessor examined the aforesaid evidence which was restricted to the first 2 preliminary issues and recorded his findings. In accordance with these findings many of the objections raised against the validity of the enquiry were rejected. It was, however, held that refusal to allow an opportunity to examine defence witnesses was unjustified ; that the incomplete part of the enquiry shall be completed before this Tribunal ; that at first the delinquent shall be examined generally and then he will have an opportunity adduce defence evidence including his own and that he will also have an opportunity examine Shri Mohan Lal Raikwar as defence witness if he so like with this order the enquiry report and the punishment awarded in consequence thereof were set aside.

17-8-1979—An application was made by the workman for reconsideration of the order dated 20-6-1979 and for conducting the whole enquiry de novo.

24-1-1980—Application dated 17-8-79 was herad. During this hearing the workman's Counsel submitted that if the Bank wanted to lead evidence afresh he had no objection. It was, however, held that the Tribunal could not agree with the offer made by the workman and the submission of the Bank as the case had to proceed as per order dated 20-6-1979. It was further held that there was no power of review and since the order dated 20-6-1979 was not challenged the case had to proceed as per aforesaid order dated 20-6-1979.

4-6-1980—The Bank submitted an application for additional evidence on the ground that the workman had put up a new case. This prayer was not opposed by the workman. Prayer made by both the parties were disallowed and the case was directed to proceed according to the order dated 20-6-1979. The workman's witnesses were further directed to be summoned.

10-6-1980—Workman was examined generally regarding the evidence against him in the enquiry. He was granted time to make a statement in writing as requested.

12-8-1980—Written statement filed by the workman and hearing adjourned for workman's evidence.

18-11-80 to 10-12-80—Case fixed for evidence of the workman at different stations but adjourned as the workman's evidence was not present.

27-12-1980—Workman applied for summoning of Bank's witnesses for cross-examination. This prayer was disallowed. Workman examined two witnesses—Munna Khan and Ganga Ram. Orders for issuing summons to the 3rd witness.

13-1-1981—Workman's witness, Kudrat Ali examined.

28-1-1981—Workman was examined. Case reserved for final arguments.

17-2-1981—Application by the Bank for additional evidence.

25-2-1981—Bank applied for amendment of statement challenging the jurisdiction.

26-2-1981—Application dated 17-2-80 rejected. Application dated 25-2-1980 allowed subject to payment of Rs. 1500 as costs.

28-2-1981—Additional issue framed about the workman being or not being a workman within the meaning of the Industrial Disputes Act and about the jurisdiction of the Tribunal.

9-3-1981—Workman examined on the additional issue.

16-3-1981—Bank examined one witness on the additional issue. Evidence of parties closed.

23-5-1981—Finding on the additional issue recorded holding the workman as a workman for the purposes of the Industrial Disputes Act. (It may be mentioned here that this order was challenged before the High Court and vide Judgment dated 7-4-82 in Misc. Petition No. 1372 of 1981 it was held that Shri Unde, the workman, is a workman for the purposes of I. D. Act).

22-6-1981—It was at this stage that the case came before me when it was reserved for final arguments.

26-9-1981—Final arguments were partly heard before this date, but during the hearing it was found that the deposition of workman's witness, Kudrat Ali, was not signed by my learned predecessor and there was no certificate of the deposition being read over and acknowledged by the witness. The workman was, therefore, directed to keep this witness present so that his statement could be recorded again. The workman, however, did not keep this witness present on the dates so fixed. He only made applications seeking adjournments but they were disallowed.

7-12-1982—By an order passed on 30-11-1981 the High Court stayed further proceedings.

7-7-1982—Workman applied again for recalling Kudrat Ali but his application was rejected in view of the previous orders passed in that behalf.

7-8-82 to 5-1-83—Final arguments were heard on different dates as on some of the intervening dates Counsel for one party or the other remained absent and because of that final arguments could not be concluded on the same date.

6 The charges against the workman were as under —

(1) While working as an Officer-in Charge of the Sub-Office he purchased a demand Draft No 17 of Rs 170 on 27-2-1971 without sufficient amount in his account in the Branch Office at Ashta He issued the Draft under his own signatures and cashed it

(2) Wilfull withdrawal of the amount of Rs 200 on 1-5-1971 from the account of Munna Khan and Rs 600 on 7 5-1971 from the account of Ganga Ram without their consent and by forging their signatures

(3) Misappropriation of an amount of Rs 150 out of Rs 650 tendered by Kudrat Ali for being deposited in his Savings Bank Acount on 13-2-1971 but actually deposited Rs 502 on 16-2-1971

(4) A number of entries in the Accounts Books maintained in the Sub Office as detailed in the charge-sheet were tempered with on different dates These entries in all were 11 in number

7 The workman denied these charges and while claiming to be innocent contended that at the most the charges relates to some irregularities The Bank's management appointed an Enquiry Officer who held an enquiry and gave his report holding the workman guilty of some of the charges The management considered this report and after issuing a show cause notice to the workman dismissed him from service The dismissal order then resulted in the present reference as stated above

8 In this Court the Bank's contention was that while working as an Office in-charge of the Sub-Office at Jawai the workman not only committed serious irregularities in the maintenance of accounts but also acted in a manner which was very prejudicial to the Bank's management It was also stated that funds were misappropriated and customers of the Bank were subjected to fraud and other criminal activities It was lastly contended that there was a properly held enquiry against the workman and the Bank's management was fully justified in accepting the Enquiry Officer's Report and awarding the punishment that it did to the workman

9 The contention of the workman is that he was quite innocent, that the enquiry was vitiated as a number of principles of natural justice were violated during the conduct of the enquiry that the charge sheet was the result of some ulterior motive on the part of the Branch Manager at Ashta, that witnesses were coerced to give evidence in tht enquiry against him by the Bank and that nothing was done by him which could justify the punishment awarded to him

10 In the light of the aforesaid fival statements of the parties the following issues were framed . —

ISSUES

(1) Whether the reference is invalid because the Government previously decided against the making of the reference ?

(2) Whether the domestic enquiry is vitiated because allegedly —

(i) the suspension before charge was illegal, contrary to Bipartite settlement and facilitated destruction of Gangaram's Pass Book and Local Dak Register ?

(ii) there was pre determined intention to punish ?

(iii) the charge-sheet was not accompanied by the list of witnesses and list of documents, management refused to supply the copies of statements of witnesses or inspection of relevant records ?

(iv) Access to books, ledgers and daily statements was not allowed inspite of asking and the delinquent was forced to file reply to the charge unprepared ?

(v) Seven defence witnesses named in the written statement were not examined ?

(vi) Management refused to examine Shri V M T Joshi, P C Sharma and Mohanlal ?

(vii) The delinquent was not inforced that he could examine himself in defence ?

(viii) The Enquiry Officer acted as a prosecutor and helped the management by putting leading question ?

(ix) The enquiry continued from day to day giving no respite for preparation ?

(x) Proceedings were not recorded faithfully and correctly ?

(xi) Termination amounted to victimisation and labour practice ?

(xii) The delinquent was examined as a opening witness ?

(xiii) The initially appointed enquiry Officer was changed and the one who conducted the enquiry was biased ?

(xiv) Findings were perverse ?

(3) While inflicting punishment the long faithful service workman was given no consideration ?

During the course of the adjudication the following additional issue was also framed —

ADDITIONAL ISSUE :

Whether Shri B K Unde is not a workman If so, whether this Tribunal has jurisdiction to hear and decide this dispute ?

11 As already stated above the first 2 issues were answered by my learned predecessor by his findings recorded on 20 6-1979 and the 3rd was also similarly answered by my learned predecessor on 23-5 1981 This order has been maintained by the High Court in M P No 1372/81 dated 7 4 1982 Findings on Issue No 1 was that the present order of reference was not bad because of the previous occasion Central Government refused to make reference. On Issue No 2 findings were as under —

Suspension before service of charge sheet entitled the workman to his wages which have been granted to his vide L C. Case No 712/78 (This order has been set aside by the High Court vide order dated 20 3-1981 in M P No 883 of 1979); that inspection of all the relevant documents was given to the workman, that the workman was informed of all the names of the witnesses to be examined in the enquiry, that there was no bias on the part of the Enquiry Officer, that the Enquiry Officer truely recorded the evidence given before him, that the workman himself did not appear as a witness though he knew that he had a right to examine himself; that the workman was not questioned by the Enquiry Officer by way of cross-examination; that the Enquiry Officer has rightly concluded on the fact of payment of Rs 200 to Shri Unde; and that the management was not bound to examine Mohan Lal Raikwar as a management's witness With these findings it was further held that it was necessary to examine the workman generally so that he could explain the evidence against him and that this should have been done by the Enquiry Officer even if the workman did not examine himself as his own witness It was also held that refusal to examine defence evidence was unjustified

After the aforesaid findings were recorded on 20-6-1979 the Tribunal examined workman generally on 10-6-1980 on the aforesaid evidence appearing against him in the enquiry and gave him an opportunity to explain it The workman answered to the questions put by the Tribunal which were not specific but in general it was stated by him that he would submit a written statement and would examine some witnesses in his defence Further according to the aforesaid order of 20-6-1979 he examined some witnesses, who were already examined as the Bank's witnesses in the enquiry He examined himself as a defence witness.

Though he was by the same order permitted to examine Mohan Lal Raikwar as a defence witness but he was not examined It has, therefore, to be seen as to whether on the evidence recorded during the enquiry and the evidence recorded before this Tribunal subsequent to the order dated 20-6-1979 the charges against the workman should or should not be held as proved.

12. Before I dis uss the evidence against the workman with regard to the charges framed against him I may deal with some of the contentions raised on behalf of the workman.

13. It was contended that in view of the order of 20-6-1979 the management was free to prove the charges of misconduct against the workman more particularly when the enquiry and the punishment awarded by the Bank were set aside. It was further contended that since the management did not elect to prove the charges afresh by adducing evidence before this Tribunal there is no material on record on the basis of which the question of proof or otherwise of the charges can be decided. In my opinion this contention is misconceived and appears to be based on misreading of the operative order dated 20-6-1979. By the said order, as stated above, a number of contentions raised against the validity of the enquiry were rejected and in paras 15 to 17 it was held that not the enquiry but the findings of the Enquiry Officer are vitiated, firstly because the delinquent was not questioned generally on the evidence that had come against him and secondly the workman was not given opportunity to adduce his evidence in defence including his own. It was also held that the incomplete part of the enquiry shall be completed before this Tribunal. It is, therefore, not correct to suggest that the whole enquiry has been set aside. Moreover, the management and the workman also had made prayers for leading evidence but by the orders passed on 24-1-1980 and 4-6-1980 my learned predecessor disallowed this prayer as he was of the view that the order dated 20-6-1979 did not contemplate a fresh enquiry and a fresh opportunity to both the parties to lead evidence on these charges. Consequently, I do not agree with the contention that there is no material on record on the basis of which finding on the charges can be given by this Tribunal.

14. It was then contended that opportunity should have been given by the Tribunal to examine Kudrat Ali more particularly when he was already examined as a defence witness in this case. Resummoning of this witness became necessary because the deposition sheet of Kudrat Ali on record was not either in the handwriting of my learned predecessor, nor signed by him, nor certified by him as read over and admitted to be correct by the witness. The workman was given opportunities between 26-8-1981 and 7-7-1982 to either get Kudrat Ali summoned or kept present so that his statement could be recorded again. On his request dates were fixed for his examination at Indore and an adjournment also granted to the workman to avail of the opportunities given to him. This Tribunal had, therefore, no option but to close his defence evidence as Kudrat Ali was neither summoned nor kept present on any of the dates between 26-9-81 and 7-7-1982 either at Jabalpur or at Indore. The unsigned and uncertified typed statement of Kudrat Ali is not a validly recorded statement of witness. I, therefore, could not consider it as legally recorded evidence for consideration in these proceedings. No doubt neither party is responsible for the omission, which may be accidental, but such unsigned and uncertified statements could not be taken into consideration and it was because of this reason that a number of opportunities were given to the workman to get his defence evidence recorded again.

15. It was then contended that the Bank had challenged the finding given by this Tribunal on 23-5-1981 but the Bank did not challenge the order dated 20-6-1979. Hence that order should be held as final. There can be no dispute with this proposition and as stated above by the orders dated 24-1-1980 and 4-6-1980 it was clearly indicated that further enquiry in this proceedings will be in accordance with the said order of 20-6-1979. It was precisely for this reason that the workman was permitted to examine witnesses in defence including himself. It is, therefore, not correct on the part of the workman to contend that the whole enquiry has been set aside and for that reason nothing except the evidence given by him shall be considered.

16. It was contended that since the workman was suspended even before the service of the charge-sheet the whole enquiry is vitiated. In the order dated 20-6-1979 it was held that the suspension before the charge only entitles a workman to his full wages which have been granted in L. C. Case No. 712/78. Against this order in the Labour Court's Case the management had filed M.P. No. 883/79 before the High Court in which it was held that suspension before charge is not illegal and that the workman is not entitled to wages until the enquiry on the charges is over. As this point is concluded by the judgment dated 20-3-1981 of the High Court no further consideration on this point is necessary.

17. I now propose to consider the evidence led by both the parties on the charge of misconduct framed against the workman.

18. The first charge against the workman is that while working as an Officer-incharge of the Sub-Office at Jawar he himself purchased a Demand Draft for Rs. 170 on 27-2-1971 without having sufficient funds in his accounts at the Ashta Branch. With regard to this charge the workman's defence is that when he issued the cheque and purchased the draft at the Sub-office he had sufficient funds in his account at the Ashta Branch but because of his subsequently issuing cheque of his account the amount in his account fell short for the cheque being honoured on a later date. The evidence given before the enquiry shows that the cheque issued subsequently after purchasing the draft was encashed earlier and the demand draft was presented for encashment at a time when there was no requisite balance in his account. The workman was an officer-incharge of Sub-office of the leading Bank of the country and was not a newly recruited workman. When he purchased the draft and later issued the cheque he was supposed to be aware that either the cheque will be dishonoured or the draft will be dishonoured. The only inference that can be drawn is that he did it intentionally. He must be credited with the full knowledge that either the demand draft purchased or the cheque was issued without sufficient funds in his account. The Enquiry Officer has found that it does not amount to offence but it was a serious misconduct. In this present proceeding it is not necessary to decide as to whether such an act on the part of the workman does or does not amount to an offence but certainly there are grounds to infer that by purchasing a draft without sufficient funds the workman was guilty of a serious misconduct which in transactions of an important bank like the State Bank of India cannot be tolerated more particularly when such an act was done by the workman himself while he was acting as an Officer-in-charge of the Sub-office. I, therefore, agree with the conclusion drawn by the Enquiry Officer that by purchasing the draft with known certainly of insufficiency of balance in his account the workman misconducted himself.

19. The second charge with which he is connected charge No. 5(a) and 5(b) is in two parts. I will first deal with the drawal of Rs. 200 on 1-5-1971 from the Savings Bank Account of Shri Munna Khan. Vide Ex. M/22 (Ex. 1(a) in the enquiry) it is alleged that Munna Khan neither signed this withdrawal form for withdrawal of Rs. 200 from his account nor received Rs. 200 by way of withdrawal but the workman managed to get this amount withdrawn after passing the withdrawal form on 1-5-1971. Munna Khan was examined in the enquiry and again examined by this Tribunal as defence witness as WW-2. Vide Ex. M/1 (Ex. 1 (c) in enquiry) dated 31-5-71 Munna Khan initially made a written complaint to the Officer-in-Charge, Jawar that he did not withdraw this amount and that on 26-5-1971 someone had deposited this amount without his knowledge. Subsequently by his two applications Ex. M-3 dated 2-6-1971 he made statement that it was he who had withdrawn this amount and deposited it again on the aforesaid two dates and that he fully agrees with the balance in his account. Again vide Ex. M/5 dated 26-6-1971 and Ex. M/4 dated 6-7-1971 he affirmed his complaint Ex. M/1 about unauthorised withdrawal of deposit of Rs. 200. In his statement before the enquiry Officer he affirmed that he had neither withdrawn nor signed the withdrawal form (Ex. M/22) nor deposited the amount vide Ex. M/20. He also admitted to have made two applications Exts. M/5 and M/4. Thus in his statement before the Enquiry Officer his case was that he was neither the signatory to the with-

drawal form Ex. M/22 nor to the deposit vide Ex. M/20. These two withdrawal and deposit forms are signed by the workman in his capacity as an Officer-in-Charge.

20. When examined in these proceedings as a defence witness he made a statement which is completely contradictory to the statemen in the domestic enquiry. He admitted to have signed the withdrawal and deposit form and disowned the previous complaints Ex. M/1, M/5 and Ex. M/4 respectively dated 31-7-71, 26-6-71 and 6-7-71. The question that arises is as to which of these contradictory statements is a true statement of the witness.

21. As stated above the witness has made three complaints in writing complaining about non-withdrawal and non-deposit. One written letter withdrawing the complaint and one statement before this Tribunal disowning the complaint made by him filed as Ex. M/5 and Ex. M/4.

22. The allegations are that after the first complaint made by Munna Khan the workman approached him and persuaded him to withdraw the complaint. By the time Munna Khan was examined in this Court in December 1980 the whole story was known as by that time the workman had faced the domestic enquiry and was punished also. In his cross-examination in para 2 he admits that the workman Shri Unde had approached him at his residence and obtained his signatures on some paper. Ordinarily it was not necessary for the workman to approach this witness at his residence and get some paper signed by him if, according to him, there was a genuine withdrawal and genuine deposit by this witness. When the witness was examined in the course of the enquiry the workman was only charge-sheeted and was facing an enquiry. It was not established in his cross-examination in that enquiry that anyone else was interested in getting false complaints made by him. In answer to a question put to him in his cross-examination he clearly admitted that it was at the instance of the workman that he wrote a letter withdrawing his complaint to the Bank and he agreed because his account had been set right. The fact that the workman had approached him at his residence is also admitted by this witness in his statement before this Court. This admission read along with his statement before the Enquiry Officer clearly establishes that though he made a genuine complaint earlier on 31-5-1971 he was induced to withdraw the complaint by the workman only and by none-else. If this had not been so he would never repeated his complaint by Ex. M/5 dated 26-6-71 and Ex. M/4 dated 6-7-71.

23. The connected charge No. 5(a) is with regard to the irregular entry of Rs. 200 in the proforma ledger and the pass book Ex. M/25 of Munna Khan. In the ledger the entry is changed from 21-4-71 to 1-5-71 and in the pass book it is shown as withdrawal on 21-4-71. It is, therefore, clear that subsequent manipulation has been done in the account book, also with regard to this so called transaction of Rs. 200 in the account of Munna Khan. The Enquiry Officer has found that the workman in his letter dated 5-7-71 admitted that Munna Khan was not personally present when this amount of Rs. 200 was withdrawn and his pass book was also not produced and that it was Mohan Lal Raikwar who requested for a withdrawal form being given to him on which he issued it. Further, according to him, in this letter it was Mohan Lal Raikwar who produced the withdrawal form duly allegedly signed by Munna Khan and obtained the payment. Even if it be so it was the duty of the workman, the then Officer-in-charge of the Sub-office, to verify the signature on the withdrawal form with the specimen signatures in the Bank. The withdrawal form was for payment to the depositor i.e. Self. In these circumstances, the only inference that can be drawn is that it was the workman who managed to get fictitious signatures on this withdrawal form and authorised payment to a person other than the depositor.

24. Learned Counsel for the workman laid too much stress on the fact that in view of the different statement made by Munna Khan he should not be believed at all. I cannot accept this contention. Having considered the different statements made by Munna Khan at different stage of enquiry and the present proceeding I am clearly of the view that from the complaints made by him Ex. M/1, Ex. M/5 and Ex. M/6 and the statement made by him before the Enquiry Officer it is clearly established that Munna Khan did not withdraw Rs. 200 from his account and the withdrawal was permitted by the workman either through Mohan Lal Raikwar or by some other person but not by the depositor, Munna Khan. Had it not been so there would not have been such variations in the Bank's accounts and the pass book in respect of Munna Khan's Savings Bank Account.

25. In his own statement before this Tribunal on 28-1-81 the workman denies having instructed the Cashier to pay this amount to Mohan Lal Raikwar. In para 6 he admits that it is the duty of the Officer-in-charge to verify the signatures on the withdrawal form and then pass it for payment. The Cashier, Shri Khan was examined during the course of the enquiry wherein he has stated that it was at the instance of the workman that payment was made to Mohan Lal Raikwar and that Munna Khan was not present on that date. This evidence has been believed by the Enquiry Officer. All that was said was that Khan should have been examined in this Court but I do not think that his non-examination is fatal. Khan's statement in the enquiry fully supports the charge against the workman. In his statement he has stated that it was the workman who had deposited Rs. 200 in the account of Munna Khan on the basis of Pay in Slip when Munna Khan was not at all present. This evidence therefore makes clear that the deposit of Rs. 200 was by the workman to make up the false withdrawal made earlier by him. Accordingly, in my opinion, on the basis of the evidence recorded in the enquiry as also on the basis of the evidence recorded before this Tribunal the charge of false withdrawal of Rs. 200 from the account of Munna Khan is fully established.

26. The next charge against the workman is about forged withdrawal of Rs. 600 vide Ex.M|21(1|D in enquiry) dated 7-5-71 from the Savings Bank Account of Gangaram by the workman. In his complaint Ex.M|6(2|c) Gangaram, examined as W.W. 3, before this Tribunal, complained that he had not withdrawn Rs. 600 from his Savings Bank Account and that his balance should be corrected as Rs. 1700. Again vide Ex. M/8 (E) dated 3-6-71 he addressed one letter to the Agent at Ashta that due to inadvertance he made the complaint on 7-5-71 that there was no withdrawal; that he himself had withdrawn this amount and that he fully agrees with the balance in his account. Again on 1-7-71 he maintained that there was neither any withdrawal nor any deposit of Rs. 600 from and in his account and that the matter be investigated. Lastly vide Ex M|10(2G) he addressed a complaint to the Regional Manager, Bhopal maintaining that it was at the instance of the workman that he wrote Ex.M|8 and that there was neither any withdrawal nor any deposit of Rs. 600 in the S B.A|C at Jawar.

27. Gangaram was examined in the domestic enquiry wherein he stated that the withdrawal form No. 310577 dated 7-5-71 was not signed by him; that he did not authorise any one to withdraw this amount; that he signed the letter withdrawing the complaint because he was in need of money to purchase a bullock and that on 3-6-71 he had not deposited Rs. 600 in his account. When examined as a defence witness in this Tribunal as W.W 2 he made a very non-committal statement in the examination-in-chief. He stated "I do not remember whether I had withdrawn Rs 600 but Ex.M|21 bears my signatures (Then said) The signatures are like mine I had not made any complaint of shortage of Rs. 600 but I had signed some papers."

When confronted with his complaint Ex. M|6 written in his own hand writing the witness stated "The handwriting of Ex. M|6 are like mine. He further stated later on he signed Ex. M|10 and that when he received the payment of Rs. 1690 the workman had obtained his signatures on two or three papers.

28 It would thus be evident that in his statement to the Enquiry Officer he supported the charge against the workman. In his letters Ex. M|6 and Ex. M|10 and Ex. M|8 addressed to the officers of the Bank, he in very clear terms alleged false withdrawal and deposits from and in his account. After his balance in the account was corrected

and more particularly after the workman was dismissed he, in his statement before this Tribunal as a defence witness, stated, in a non-committal way that there was nothing wrong. The question is which statement should be believed ?

29. The workman in his statement on 28-1-81 before this Tribunal as W.W. 4 in his examination did not make any statement about this charge even though Gangaram was examined by him as his defence witness on 27-12-1980. He did not have the courage even to say that the withdrawal form Ex. M|21 dated 7-5-71 passed for payment by him was signed by Gangaram in his presence or that Gangaram appeared personally to present this form or that he verified Gangaram's signatures on this form before passing it for payment. Such a categorical statement was necessary when Gangaram in the enquiry had denied the withdrawal and deposit. It may, therefore, be presumed that the workman did not mean to challenge this charge. In view of the fact that he had made a statement on oath in his defence his written statement if any need not be considered on this point.

30. The Enquiry Officer has given a finding that Gangaram did not withdraw this amount from his Savings Bank Account. He also took note of the fact that during enquiry the workman did not step into the witness box and that in his letter dated 5-7-71 also did not explain as to how he allowed the withdrawal of Rs. 600. On Ex. M|21 dated 7-5-71. The Enquiry Officer relying on the evidence of the Cashier also held that at the instance of the workman the amount of Rs. 600 was handed over to Mohan Lal Raikwar and that ultimately this amount was deposited by the workman on 3-6-71 vide Ex. M|19.

31. Ex. M|21 the withdrawal form was passed for payment by the workman under his own signatures. I have compared the signatures on Ex. M|19 and Ex. M|21, the disputed document with the signatures on the admitted documents Ex. M|6, Ex. M|8 and Ex. M|10 as also the signatures of this witness in the enquiry proceedings at pages 15 to 20 in the portions marked A to A to F. F. and find the letters "राम "in the signature of Gangaram are different with his above admitted signature. The Enquiry Officer was, therefore, in my opinion fully justified in concluding that it was the workman Shri Unde who managed the false withdrawal vide Ex. M|21 and then similarly managed the deposit vide Ex. M|19 on 3-6-71 when there was the complaint Ex. M|10 of Gangaram on 31-5-71.

32. Before proceeding further to discuss the other charges I may refer to the reply dated 1-8-75 by the workman to the show cause notice dated 16-6-71 served on him. The reply has been filed as Annexure C to the Bank's statement. This was the first version of the workman with regard to the charges and findings of the Enquiry Officer. In this reply the workman stated:—

> "Shri Munna Khan and Ganga Ram have rightly pointed out that the withdrawals of Rs. 200 and Rs. 600 respectively from their accounts were not genuine. I have never disputed these facts. It is a fact that these withdrawals were forged. But the charge against me is that I wilfully passed them with the intention to get wrongful gain for myself. The only evidence to support this charge is evidence of Shri K. R. Khan who has testified that the amounts of these withdrawals was handed over to me in the presence of Shri Khan.....It is my submission that Shri Khan is not making correct statement." (Emphasis supplied).

33. From the above categorical and specific admissions made by the workman even before he was awarded any punishment by the management clearly indicate that the workman knew that the withdrawal of Rs. 200 and Rs. 600 on the withdrawal forms Ex. M|22 of Munna Khan and Ex. M|21 of Gangaram were forged to his knowledge. Both these withdrawals were passed for payment by him. How can the workman now be heard to contend that Gangaram and Munna Khan were the persons who signed the withdrawal forms and received the payments. All the contentions raised by the learned Counsel for the workman in his behalf must, in the light of the aforesaid admissions, be rejected as unfounded as they are against what the workman had admitted in very clear terms.

34. The next charge is Nos. 3 & 4 against the workman with regard to the deposit of Rs. 650 by Kudrat Ali on 13-2-71. It is alleged on this date he had tendered an amount of Rs. 650 to the workman along with the Pay in Slip for being deposited in his Savings Bank Account but the workman deposited only a sum of Rs. 500 on 16-2-71 and the rest was returned by him. Ex. M|24 is the Pass Book in which an amount of Rs. 650 is shown as deposited on 13|15-2-71. When this fact of short deposit came to the notice Kudrat Ali at a later date (4-3-71) when he desired the withdrawal of Rs. 1900 he made two complaints Ex. M|33 on 26-4-72 and again on 30-8-71 (Ex. M|32). It was on enquiry found that the original Pay in Slip with which the amount was deposited by Kudrat Ali was substituted by another Slip Ex. M|18 dated 16-2-71 showing a deposit of Rs. 500 only. Kudrat Ali was examined during the course of the enquiry and he admitted having made the aforesaid two complaints and stated that Ex. M|18 which bears somebody else's signatures in English are not his signatures; that on 13|2 he handed over the amount to the workman; that he had made the aforesaid two complaints voluntarily and that when he wanted withdrawal of Rs. 1900 the withdrawal was allowed after he deposited Rs. 150 out of this withdrawal of Rs. 1900. He was examined and only two questions were put to him As regards the facts stated by him in his statement not a single question was put to him. The Enquiry Officer on a consideration of this evidence recorded during the enquiry and also on the consideration of the Pass Book and the other Accounts Books maintained in the Sub-office came to the conclusion that what has been stated by Kudrat Ali is worthy of reliance. In the Pass Book, as already stated above, the entry for deposit of Rs. 650 is dated 13|15 February, 1971. In the daily statement of the Sub-office on 13-2-71 there is no entry for any amount in the account of Kudrat Ali. It is only on 16-2-71 an amount of Rs. 500 has been shown as deposit by Kudrat Ali. The Pass Book, however, shows a deposit on 13|15 and not on 16-2-71. In the ledger of the Sub-office Rs. 650 are shown as deposited on 13-2-71 but later on this entry was cancelled under the authentication of the workman and only a sum of Rs. 500 was substituted for Rs. 650. The Enquiry Officer has thus found that there are discrepancies in the amount shown in Ex. M|18, the ledger, the daily statement and these discrepancies support the case of the depositer, Kudrat Ali that even though he had handed over Rs. 650 the workman deposited a sum of Rs. 500 only and it is only at a later date when the short deposits came to the notice of Kudrat Ali he was allowed to withdraw Rs. 1900 from his account and out of that amount Rs. 150 had retained as the Pass Book had shown a deposit of Rs. 650. Kudrat Ali, as stated above, was not examined as a defence witness in this case and his unsigned and his uncertified statement cannot be taken into consideration. Because of such a statement being on record, the workman, as discussed above was given opportunities to examine him but Kudrat Ali was not examined. If what has been stated by the depositor, Kudrat Ali, before the Enquiry Officer had not been true his evidence should have been given as permitted vide order dated 20-6-1979.

35. In his statement para 4 before this Tribunal the workman denied that Kudrat Ali had given him an amount of Rs. 650 for being deposited on 13-2-71. He, however, admitted that Kudrat Ali had come to him and he prepared a voucher for Rs. 650 and made an entry in his Pass Book. This amount, according to him, was given to the Cashier but the Cashier reported that there was a shortage of Rs. 150. He therefore summoned Kudrat Ali immediately through a messenger and then through a letter and thereafter Kudrat Ali deposited Rs. 650. He thus wants to support the deposit vide Ex. M|18 for Rs. 500 only. In the Pass Book of Kudrat Ali refer to above there is no deposit of Rs. 500 on 16-2-71 and on the contrary there is a deposit of Rs. 650 shown on 13|15-2-71. These entries in the Pass Book are quite inconsistent with Ex. M|18. Ex. M|18 is not signed by Kudrat Ali. Kudrat Ali stated that he had not signed in English as he signs only in Hindi. This has been passed by the

workman under his own signatures. It, therefore, becomes clear that something did happen about the deposit of Rs. 650 and because of that these inconsistancies appear not only in the Pass Book of Kudrat Ali but also in the Accounts Book of the Sub-office as also the Branch at Astha. If according to Ex. M|18 Rs. 500 were deposited on 16-2-71 the amount must have been entered in the Pass Book. Consequently, the only conclusion that can be drawn that what the workman has stated in his statement before this Tribunal is absolutely unreliable and what has been stated by Kudrat Ali is true.

36. The conduct on the part of Kudrat Ali in making complaints Ex. M|33 and Ex. M|32 respectively on 26-4-72 and 30-8-71 justify the conclusion that the workman received Rs. 650 from Kudrat Ali on 13-2-71 but deposited only Rs. 500 and retained the balance. It is not the case of the workman that only Rs. 500 had been deposited on 16-2-71 by Kudrat Ali. Had it been so the entry in the Pass Book completely falsifies it. Accordingly on the basis of the evidence and material on record I am clearly of the opinion that charges nos. 3 & 4 in respect of the deposit of Rs. 650 were rightly held as proved by the Enquiry Officer.

37. It may be mentioned here also that in reply to the show cause notice issued by the Bank to the workman on 1-8-71 not a single word has been written about the findings of the Enquiry Officer with regard to this incident of deposit of Rs. 650. Though in this reply something is said about charges no. 1 & 2 but with regard to the charges nos. 3, 4 & 5 all that is stated is that the workman was innocent and that irregularities had occurred in the working and for all these mistakes he is deeply sorry. The omission to assail the finding as recorded by the Enquiry Officer with regard to these charges leads to the, and the only, irresistible conclusion is that till that stage i.e. stage when he replied to the show cause noticed issued on the report of the Enquiry Officer the workman had nothing to say against the evidence given by Kudrat Ali against him and the findings recorded thereon by the Enquiry Officer. Had it not been so he must have given his reasons as to why the report of the Enquiry Officer be not accepted on this count also.

38. Charge No. 5 relates to a number of irregular entries made not only in respect of Munna Khan, Ganga Ram and Kudrat Ali but in respect of some other account books also. The details of these irregularities are specified under charge no. 5, clauses (a) to (h). These charges are based on accounts books maintained in the Sub-office and have been duly proved by the original accounts books. They relate, as already stated above, to the suspicious transactions of Munna Khan, Ganga Ram, Kudrat Ali and the accounts of Behari Lal, Laxmi Narain Nutan Kumar, Fazaluddin and Om Prakash. The omissions to make relevant entries in the Sub-office are gravemen of the charges. The Enquiry Officer has found all these charges as proved. All that was urged in respect of these charges was that they are only irregularities due to accidental slip or omission or errors. In respect of some the Enquiry Officer has treated irregularities of accidental errors without any ulterior motive. It may be so but the fact remains that the workman though posted as Officer-in-charge of a Sub-office committed mistakes after mistakes and irregularities after irregularities in maintenance of accounts of the customers not only in their pass books but in the accounts books of the Sub-office also. This is not a case of a single or a couple of irregularities but these irregularities are sufficient in number. However, as these irregularities are proved by the accounts books themselves nothing was said either by the workman in reply to the show cause notice referred to above or before this Tribunal also. Many of them are connected with the first four charges which, in my opinion, were rightly held as proved by the Enquiry Officer. Accordingly the findings of the Enquiry Officer in respect of these charges are also held as fully justified.

39. Having thus dealt with the evidence with respect to the above said charges as also with the justification of the findings I have reached the conclusion that in the enquiry held against the workman the Enquiry Officer held a valid enquiry that whatever deficiencies were noticed by the order dated 20-6-1979 were allowed to be made up by the workman by his examination on the said evidence, by allowing him to lead evidence in defence and by allowing him to examine himself as a witness. Accordingly I agree with the findings of the Enquiry Officer and hold that on the material on record viz. the oral and documentary evidence placed before the Enquiry Officer and the additional evidence given by the workman before this Tribunal the charges against the workman are fully established. Accordingly my finding on Issue No. 2(14) is that the findings of the Enquiry Officer are neither perverse nor liable to be rejected and on the contrary must be accepted as fully justified.

40. The next issue is as to whether the management while inflicting the punishment gave no consideration to the long faithfully service of the workman. The management has awarded the punishment of dismissal of service to the workman. The workman was working as an Officer-in-charge of a Sub-office of the State Bank of India. The Bank is a nationalised Bank and carries on extensive business in various part of the country in a large number of branches. People dealing with such a leading Bank transact thier business by depositing their money with full confidence that whatever amount is deposited or withdrawn by them is duly accounted for. It is not uncommon that many customers treat the entries in the pass books or statements of accounts as true without actual verification. If the depositors are treated in the manner in which they were treated by the workman as in this case then they are bound to lose their faith in the honest working and accounting of the Bank and a Nationalised Bank is bound to suffer in its reputation. As stated above, this is not a single item of short deposit or false withdrawal or irregular accounting. On the contrary, the evidence is that the amounts tendered for deposit were not deposited or short deposited, there was extensive tampering of the accounts as shown in the customers' pass books and the accounts books of the Sub-office so much so that complaints had to be made by the customers. There is also evidence that when complaints were made the workman approached the customers and persuaded them to withdraw their complaints. Witnesses examined in the enquiry when produced as defence witnesses were won over and made to resile from their previous statements made during the enquiry. All this could not have been done except by the wrkman to put up false defence. If the workman had a long service to his credit it was expected that he would give a better, efficient and an honest account as a responsible officer-in-charge of a Sub-office. On the contrary, he forged documents, tampered with the accounts books and pass books of the customers. Such an officer even with a long service does not deserve to be reinstated in such an important banking institution of the country. The only punishment that he deserves was that of dismissal from service. I accordingly hold that the management of the Bank was fully justified in awarding the punishment of dismissal from service even if the workman had a long service in the Bank.

41. Before passing the final order, I, in the circumstances of the present case, have to make some recommendations to the Bank's management. From the material placed before this Tribunal it is clear that there was no allegations of any previous act of misconduct on the part of the workman. He appears to have put in a long service. So far as the merits of the present case are concerned I have given my decision as stated above. However, considering the present hard times I will recommend to the management that in case the workman is agreeable to be appointed on the post last held by him or even on a lower post with continuity of service but without any claim for back wages the management should consider very favourably such prayer, if any, made by the workman.

ORDER

Accordingly, for the reasons given above, I hold that the management of the State Bank of India, Local Head Office, Bhopal was justified in dismissing the workman, Shri B. K. Unde, Officer-in-charge of the Jawar Sub-office, Ashta Branch of the Bank with effect from 27th August, 1975 and that subject to what is stated above in para 41 the workman is not entitled to any relief. In the circumstances of the case I leave both the parties to bear their own costs of these proceedings as incurred by them.

4th February, 1983

S. R. VYAS, Presiding Officer
[No. L-12012/128/76-D. II(A)]

New Delhi, the 17th February, 1983

S.O. 1454.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Bombay in the industrial dispute between the employers in relation to the Reserve Bank of India, Bombay and their workmen, which was received by the Central Government on the 15th February, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

Reference No. CGIT-2/20 of 1982

PARTIES :

Employer in Relation to the Management of Reserve Bank of India, Bombay.

AND

Their Workmen.

APPEARANCES :

For the Employer—1. Shri N. V. Sundaram, Legal Adviser. 2. Shri M. A. Batki, Asstt. Legal Adviser.

For the workmen—Shri N. Y. Gupte, Advocate.

INDUSTRY : Banking STATE : Maharashtra.

Bombay, the 2nd February, 1983

AWARD

(Dictated in the Open Court)

The alleged attempt to increase the quota of work of two Punch Operators working in the Fort, Bombay Branch what is known as Coin/Note Examining Section has given rise to the present reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 whereby the following dispute has been referred for adjudication by order No. L-12011(11)/80-D.II (A) dated 16-5-1982 :—

> "Whether the action of the management of R.B.I. Fort Bombay raising the quota of work of two Punch Operators of their Fort Bombay Branch corresponding to work of 60 Coin/Note Examiner's work, to that of 80 Coin/Note Examiners' work is justified ? If not, to what relief the workmen are entitled ?"

2. On the strength of the pleadings in all six issues were framed but by order dated 11-11-1983, Ex. 6 since issues 1 and 2 involved preliminary contentions, they were ordered to be tried as preliminary issues and arguments have been advanced by the parties accordingly.

3. So far as facts are concerned there is no much dispute between the parties as is evident from the Union's claim statement Ex. 2/W and the written statement filed by the Reserve Bank of India Ex. 3/M. Formerly what was known as detailed procedure was being following for examination of notes received from the constituents of R.B.I. but due to the on slaught of increase volume of work, what is known as modified procedure has become necessary and therefore it is now in vogue. The dispute has arisen because of the said modified procedure.

4. The working of the note examination Section as is evident from the pleading is that the said Section is in charge of Asstt. Treasurer and it is composed of 40 Examiners, one Punch Operators and some members of Class IV staff. One note examining batch of 40 is divided into 4 sub-section of 10 each and this batch of 10 is again divided into two of five each sitting at both sides of table whose work is headed and supervised by an employee of Class III Cadre called Group Supervisor.

5. Now as and when the currency notes are received from the various constituents initially it is not possible for the R.B.I. to get them verified at the time of receipt. They are therefore received in bulk and at convenient time in the presence of the party concerned the examination of those bundles takes place. So far as sub-section of 10 is concerned, one batch of five employees or Examiners who are also called counters checked the quality and quantity and after verifying the bundles the seal is stitched with a label. All these bundles are of 100 notes despite denomination. The packets are reverified by the second batch of 5 Recounters belonging to Class III Cadre. This re-verification is done after stitching and sealing by first batch with the help of Mazdoors and then each examiner and reverifier puts their initial and examiners also affix Rubber seal on the last Note so that in case of any discrepancy subsequently detected the liability can be fixed.

6. As already stated this was known as detailed procedure which was prescribed but since 1972-73 under various circulars issued by the R.B.I. what was known as modified procedure came to be introduced whereby now the group consists of no Note Examiners but two officers namely one Asstt. Currency Officer Grade 'B' and one Asstt. Treasurer Officer Grade 'A', two Punch Operators and some members of Class IV staff including one Durwan. The modified procedure different from the earlier in the sense that instead of verifying each and every container received from the constituents what is known as sample taking is undertaken and if any serious discrepancy is noticed, then alone resort is taken to the earlier one. However even in the modified procedure those Notes which are checked and examined are examined for the purpose of quality as well as quantity and during the process if any Notes are found to be torn, the same are punched so as to deface them, by the Punch Operator with the help of Electrically operated machine so that their re-entry in the circulation is avoided and curbed.

7. Now what is the contention of the Union is that because formerly the work was undertaken by a Section comprising of 30 Coin or Note Eximners to which was attached a Punch Operator, while now the work entrusted to them is of 40 Coin or Note Examiners, there is onerous burden cast on the Punch Operator who is required to discharge additional burden and it is urged that since no procedure under Section 9A of the Industrial Disputes Act has been followed and since the matter falls under Schedule 4, S. No 8 where withdrawal of any customary concession or privilege or change in usage is contemplated attempt to cast additional burden should be repelled and the original order of 30 coin or note examiners should be restored.

8. In this connection it is very material to note that so far as Note or Coin Examiners are concerned their work was on quota basis in the sense that they were required to perform one quota in the morning and other quota in the afternoon and as soon as the work is over whether one hour or two hours before closing time these examiners, it is an admitted fact, are at liberty to leave the office. They therefore could depart much earlier than the other members of staff. Though the quota system is applicable to these note or coin Examinars so far as members of Class IV staff were concerned including the Punch Operators, they were never governed by the quota system and although their work is linked with the Note or coin Examiners and normal working hours namely 7 hours on week days and 4 hours on Saturdays were applicable to them. Had the quota system also been extended to the Punch Operators, then if there was any addition to the quota they could have very well resented such action in the absence of the procedure under Section 9A of the Industrial Disputes Act but such was never the case. It may be that in the past they might be leaving the department or the office as soon as the work was over but that cannot mean that they have got a privilege to do so and the settlement as well as various awards expected of them to work initially 7-1/2 hours on week days and 4 hours on Saturdays which time was later on modified to 7 hours on week days and 4 hours on Saturdays. Nobody therefore claim as a matter of right unless that right has been awarded to depart from the office much earlier than their counter-part in the same office if not in the same Section.

9. It is also pertinent to note that when the dispute between the R.B.I. and the Note/Coin Examiners was referred for adjudication to the National Tribunal justification for 15 per cent increase was upheld. It was found that the work was not sufficient and therefore increase became necessary.

10. I can understand that any custom, usage or privilege in similar offices in the R.B.I. applies to other centres including those at Bombay, but the record speaks that at other centres except the Fort Bombay Branch the Punch Operators are required to carry on with the work of 40 Coin/Note Examiners. There is absolutely no justification as to how the R.B.I. should not introduce the same to the Fort Office. It is not stated that there is a peculiar situation or privilege a Fort Office that these Punch Operators cannot work equal to what their counter parts are doing at other centres. When the duties are fixed not on quota system, when the duty required that the workmen are present during the particular hours of work, then what work has to be entrusted to the employee is clearly a managerial function and the Tribunal would not be in a position to intervene in the matter. If it was the contention of the Union that because of a particular additional burden, they are required to sit late there would have been some justification but that again would have resulted in claim for overtime which the R.B.I. is ready and willing to pay if necessary, i.e. if such late hours are necessary. But such is however not the case. In view of this and in view of the fact that the work is being done with the help of Electrically operated Machines these Punch Operators cannot question the right of the employer to ask them to carry the work of 80 Examiners, which as already stated is being done by their counter-parts in all other centres of R.B.I. What the R.B.I. has done is to bring on par the Fort Branch Office with the other centres for the reasons already stated that there is no contravention of Section 9A Schedule 4 of the Industrial Disputes Act which required intervention at the hands of the Tribunal. The reference therefore must fail.

No order as to costs.

M. A. DESHPANDE, Presiding Officer

[No. L-12011/11/80-D.II(A)]

S.O. 1455.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industiral dispute between the employers in relation to the Allahabad Bank, Calcutta, and their workmen, which was received by the Central Government on the 15th February, 1983.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

Reference No. 32 of 1980

AWARD

PARTIES:

Management of Allahabad Bank.

AND

Their Workmen.

APPEARANCES:

On behalf of Employers—Mr. M. R. Sarbadhikari, Law Officer.

On behalf of Workmen—Mr. Ashoke Singh, General Secretary of the Union.

STATE: West Bengal. INDUSTRY: Banking.

By Order No. L-12011/29/79-D.II.A dated 20th May, 1980 the following dispute was referred to this Tribunal by the Government of India, Ministry of Labour, for adjudication:

"Whether the action of the management of Allahabad Bank, Calcutta in relation to their branches in the States of West Bengal and Tripura in treating Sarvashri J. P. Tandon, R. N. Kacker, G. N. Tandon and N. N. Khettry, Cashier-in-charge, Category 'C' as Junior to Sarvashri K. N. Seth, S. K. Mehrotra and B. N. Kapoor as on 30-4-78 is justified? If not, to what relief are they entitled?"

2. We are not now concerned with Gopinath Tandon as he has been transferred to some other place and a statement has been made before me that we are no longer concerned with him in this case. According to the Union R. N. Kacker, J. P. Tandon and N. N. Khettry were appointed earlier as Cashiers and also promoted earlier as Head-cashiers in Category 'C' than K. N. Seth, S. K. Mehrotra and B. N. Kapoor and thus they were senior in appointment as also in promotion, but the management arbitrarily and wrongfully placed them as juniors to K. N. Seth and two others. The management has denied it.

3. The case of the management is that by notice dated 9th March, 1978 the Bank invited applications from eligible workmen working as Cashiers-in-charge in Category 'C' for filling up by way of promotion six vacancies in the rank of Cashiers-in-charge in Category 'E', that the names of the candidates who were selected were announced on 19th April, 1978. It appears that some discrepancy was detected in the matter of posting of the Cashier-in-charge in Category 'E' at the Alipore branch of the Bank. It was corrected by notice dated 3rd May, 1978. The Bank says that the selection and posting was done on the basis of seniority in accordance with the rules of promotion incorporated in circulars dated 29th September, 1973 and 21st March, 1975 and in the seniority list dated 8th May, 1975 and also in the Bipartite Settlement dated 11th January, 1975 arrived at between the Bank and the Bank Employees' Associations; that K. N. Seth and R. N. Kacker were promoted with retrospective effect from 21st October, 1977 as per awards of the Central Government Industrial Tribunal, Calcutta dated 27th November, 1976 in Reference No. 11 of 1976 and dated 21st May, 1976 in Reference No. 73 of 1975.

4. The admitted facts of this case are that the three concerned workmen R. N. Kacker, J. P. Tandon and N. N. Khettry are senior in appointment, in promotion as well as in assuming charge of the promotional posts of Head Cashiers in Category 'C'. Even the management in their written statement in paragraph 16 has stated that these persons have not been treated as juniors to K. N. Seth, S. K. Mehrotra and B. N. Kapoor on 30th April, 1976. It must accordingly be held that the above three concerned workmen, namely, R. N. Kacker and the two others are senior to K. N. Seth and the two others as per rules of promotion dated 11th January, 1975 of the Allahabad Bank. The Bank, however, contends that the promotion of the workmen involved in the dispute raised by Association including the aggrieved workmen to the rank of Cashier-in-Charge Category 'C' has been implemented in terms of the Bank's Circular Nos. 9/23/593 and 12/23/748 dated 29-3-73 and 21-3-75 and RO/Staff/2140 of 8-5-75. It is further stated that Sarvashri K. N. Seth and R. N. Kacker were promoted with retrospective effect from 21-10-73 as per awards of the Central Government Industrial Tribunal at Calcutta and 27-11-76 of Reference No. 11 of 1976 and dated 21-5-76 of Reference No. 73 of 1975.

5. In my opinion the contention of the Bank is not valid. The award of Reference No. 11 of 1976 dated 27th November, 1976 is Ext. M-11. The question of inter se seniority between the two sets of the concerned workmen above referred to was not in issue in that case. In that case R. N. Kacker, the Assistant Head-Cashier was promoted to the post of Head-cashier 'C' grade but the Allahabad Bank decided to post him at its Southern Avenue Branch at Calcutta. He was transferred to North Barrackpore branch which had been upgraded with effect from 1st January, 1974. Southern Avenue branch of the Bank in Calcutta was upgraded with effect from 7th June, 1974 i.e. later than North Barrackpore Branch. R. N. Kacker was junior to R. P. Tandon and J. P. Tandon. This Tribunal (Sri E. K. Moidu, Presiding Officer) held that when the post of North Barrackpore branch was first available, the senior employee, that is, Mr. Tandon should have first been posted there and not R. N. Kacker who was junior, that some discrimination seemed to have been shown to R. N. Kacker. In this view of the matter the transfer order passed by the management was set aside and the management was ordered to post R. N. Kacker at Southern Avenue branch, Calcutta with immediate effect. That award, therefore, is of no help to the management.

6. The award in Reference No. 73 of 1975 dated 21st May, 1976 is Ext. M-12. In that case the fact was that K. N. Seth and S. K. Mehrotra, both Cash clerks had been promoted to the post of Head Cashier, Category 'C' and they were entitled to be posted in that capacity as and when vacancy arose in the Calcutta branch of the Allahabad Bank. K. N. Seth was senior to S. K. Mehrotra. One vacancy arose at Lake Garden in Calcutta and one vacancy arose in North Barrackpore in the district of 24-Paraganas which is outside Calcutta. The management offered the post at Lake Garden to S. K. Mehrotra by letter dated 11-7-75. He accepted the offer and joined that post on the same date. The management offered the North Barrackpore vacancy to K. N. Seth on 9th July, 1975 but he did not accept it and he indicated that he should be posted at Lake Garden. His case was taken up by the Association. It was held by Sri E. K. Moidu, the then Presiding Officer of this Tribunal that K. N. Seth being senior should have first been offered the post at Lake Garden. However, S. K. Mehrotra was not disturbed and the case was disposed of with a direction on the management to post K. N. Seth anywhere in Calcutta in one of the existing vacancies of Head Cashier Category 'C' and to pay the schedule rate of allowance to him with effect from 21st October, 1973. It is thus clear that the management is not right in relying on these two awards for the purpose of deciding the seniority of the three concerned workmen, namely R. N. Kackker and the two others.

7. The management also referred to Exhibits M-8 and M-9, but they are also of no assistance to them. Ext. M-8 is the award in Reference No. 10 of 1978 dated 10th October 1979 in which the Tribunal held that the management of Allahabad Bank was justified in treating H. L. Kapoor, the General Secretary of the Allahabad Bank Cash Staff Association as on casual leave on certain days. This has no relevance on the issue in question by any stretch of imagination. Ext. M-9 is the award dated 3rd February, 1981 in Reference No. 68 of 1978. Special allowance was allowed to Sri V. Khanna as a Head Cashier of Category 'E' with effect from 1st September 1974—the date of upgradation of the branch to 'A' category though he had resumed charge as such of the Burdwan branch of Allahabad Bank on 9-2-1976 on the ground that the delay in transferring him to that branch was groundless flimsy untenable and not bona fide. This award merely shows that special allowance was paid retrospectively. It has no relevance whatsoever to the facts of the present case.

8. So far as the circulars are concerned, they are also not relevant for decision on the point in issue before this Tribunal. Two of the circulars dated 22nd September, 1973 (Ext. M-22) and dated 21st March, 1975 (Ext. M-21) relate to special allowance. In my opinion these two circulars have nothing to do with the issue in question. One of the documents referred to by the management is a seniority list (Ext. M-14) dated 8th May, 1975. This is a seniority list of the Cashiers of West Bengal. This list is against the management. K. N. Seth, S. K. Mehrotra and R. N. Kacker are in Sl. Nos. 41, 42 and 43 of this list and they are shown as juniors to J. P. Tandon and others. In the present case the point to be determined is whether the three concerned workmen R. N. Kacker and two others have wrongly been treated as juniors to K. N. Seth and two others. This is to be decided on the admitted facts and circumstances of this case. I have already dealt with them. It is clear that R. N. Kacker and two others are senior to other set of workmen.

9. From the above my concluded opinion is that R. N. Kacker, J. P. Tandon and B. N. Khettry are senior to K. N. Seth S. K. Mehrotra and B. N. Kapoor and that the action of the management of Allahabad Bank, Calcutta in relation to their branches in the States of West Bengal and Tripura in treating R. N. Kacker and the two others, Cashier-in-charge Category 'C' as junior to K. N. Seth, S. K. Mehrotra and B. N. Kapoor as on 30th April, 1978 is not justified. In my opinion R. N. Kacker and the two other aforesaid workmen should have first been promoted to the post of Head-Cashiers (Cashiers-in-charge), Category 'E' and they should have been given all service benefits of Category 'E'. I am not however inclined to disturb the promotion of K. N. Seth and others. In the circumstances I would direct the management to give posting to R. N. Kacker, J. P. Tandon and B. N. Khettry in the existing vacancies of Cashiers-in-charge, Category 'E', if there be any and if not, then to give posting to them in future vacancies if and when available.

This is my award.

M. P. SINGH, Presiding Officer.

Dated, Calcutta,
The 9th February, 1983.

[No. L-12011(29)/79-D.II(A)]

New Delhi, the 23rd February, 1983

S.O. 1456.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Bangalore, in the industrial dispute between the employers in relation to the Central Bank of India, Bangalore-9, and their workman, which was received by the Central Government on the 19th February, 1983.

BEFORE THE INDUSTRIAL TRIBUNAL IN KARNATAKA, BANGALORE

Central Reference No. 9 of 1980

I Party: Workman S. Dwarkanath No. 449, 7th Cross, I Block, Jayanagar, Bangalore-560011.

Vs.

II Party: The Divisional Manager, Central Bank of India, Divisional Office Kempegowda Road, Bangalore-9.

APPEARANCES:

For the I Party.—Sri K. Jayaprakash Hegde, Advocate, Bangalore-1.

For the II Party.—Sri S S. Ramdas, Advocate, Bangalore-1.

REFERENCE:

(Government Order No. L-12012/143/79-D.II.A, dated 14-10-80)

ORDER

Dated, the 30th day of October, 1982

The Central Government has made a Reference of the dispute between the parties for adjudication on the following points of dispute:—

"Whether the action of the management of Central Bank of India, Divisional Office, Bangalore in discharging from service Shri S. Dwarakanath, Head Cashier at Sirwar Branch of the Bank, under their letter No. Staff/Misc/78/228 dated 21st April, 1978 is justified? If not, to what relief is the workman concerned entitled?"

2. The parties submitted their statements.

3. The parties were directed to adduce their evidence on the preliminary issue about the validity of the domestic enquiry. They had no oral evidence, but agreed that the enquiry papers may be marked on behalf of the management and the enquiry papers relating to the two other officials called for by the I Party may be marked as Exts. M-2 and 3 on his behalf.

4. The charge against the I Party was that on 8-7-1976 he as Head Cashier paid Rs. 3000 to one Amareshappa against withdrawal purported to have been drawn by him and the withdrawal did not bear the account number and was not posted in the ledger nor passed voucher for withdrawal. There was no balance in the account for this withdrawal. It further says that on 30-7-76 there is a pay-in-slip for Rs. 3000 for credit to Amareshappa's account filled by the I Party workman which does not bear the account number, ledger folio or signature of the remitter and these acts on

the part of the I Party amounted to act of gross misconduct as per clause 19.5 (J) of th Bipartite Settlement. The I Party had given an explanation to the memo issued earlier admitting the allegations against him. But he is contending that he was instructed by the Branch Manager to effect payment to the withdrawals of the borrowers, against sanction of loans to them pending opening of accounts, in the ledgers or obtaining specimen signature slips or documents. According to him he was instructed to effect payments on the basis of the notations about the amount of advances likely to be sanctioned by the Branch Manager. He adds that he had made the payment as per instructions of the Branch Manager and no account was opened, the same could not be noted in the ledger and after three days the Branch Manager told him that there was over payment and he should make good that amount and so he repaid that amount.

5. In the statement filed before this Tribunal also he has made a similar statement. According to him as a result of heavy pressure of work he had over paid that amount and subsequently remitted Rs. 3000 which represents the over payment.

6. In the enquiry, three witnesses were examined on behalf of the management and on the basis of their evidence the Enquiry Officer gave a finding that the charges were proved and proposed a punishment of discharge.

7. There are no grounds urged in the claim statement of the I Party as to why the departmental enquiry is vitiated. It is only alleged that the Enquiry Officer had given a finding that the I Party had forged the signature of Amareshappa and the Appellate Authority did not consider it but only concluded that the charges were esablished. The observation of the Enquiry Officer about the forgery was not necessary for consideration as it was beyond the scope of the charges framed. Yet that circumstance alone will not lead to the conclusion that the enquiry is not just or proper.

8. It is argued that out of the three witnesses examined on behalf of the management there were charges framed and enquiry conducted against two of them as per the papers produced at Exts. M-2 and M-3 and they were found guilty of the charges also and the Enquiry Officer or the Appellate Authority were wrong in relying on their evidence to conclude about the misconduct of the I Party. The charges against these two individuals were on different grounds It is true that Jacob Samuel (MW-2) was charge-sheeted for having made a false claim of having visited the Branch where the I Party was working and checked all the loan papers The report of the Enquiry Officer against him was that his contention that he could check the loan records in two days was unbelievable. But this circumstances will not lead to the conclusion that he did not enquire into the allegations against the I Party about his misconduct in being grossly negligent in his work.

9. When the I Party has admitted about his conduct in issuing the loans without proper office procedure followed and remitting the said amount back to the account of Amareshappa, when noted by the Branch Manager, there was no necessity of any further enquiry into the matter. However that enquiry revealed that the charge against the I Party was fully established.

10. The other contention that the Enquiry Officer himself proposed a punishment and hence the enquiry is vitiated or is in violation of the principles of natural justice cannot be accepted. It is contended by the II Party that the Enquiry Officer was appointed under para 19.14 of the Bi-partite Settlement to hold the enquiry as well as impose punishment. This contention has not been denied by the II Party. The fact that the Enquiry Officer has called upon the I Party to explain as to why he should not be discharged from service or later he himself passed the order of discharge will not be a ground to hold that the enquiry is against the principles of natural justice. Hence, I hold that the domestic enquiry is just and proper and fix the case for consideration on other points.

30-10-1982.

V. H. UPADHYAYA, Presiding Officer.

Further orders and Award passed on 10-2-1983

The other questions for consideration are about the perversity on the findings and the severity of the punishment It is contended that when the Enquiry Officer has concluded that there was a fraudulent intention on the part of the I Party by forging signature of the account holder, the appellate authority has held that the withdrawal made was a case of gross negligence and hence it has to be concluded that the findings are wrong. The facts established at the domestic enquiry were that on 8-7-76 the Opponent had made two withdrawals of Rs. 3000 each in the S.B. account of Amareshappa. One of the said withdrawals had the backing of credit balance being the agricultural loan allowed to the party on the same day and the other without such backing. For the other withdrawal there was no note by the Branch Manager for having passed it for payment and it did not bear even the account number and there was variance in the two signatures found in the two withdrawal applications. The Branch Manager examined as MW-3 had stated clearly that the second withdrawal was not passed for payment and he did not instruct the opponent to pay the amount. From these facts, the Enquiry Officer concluded that it would amount to a case of forgery and a fraudulent intention to make an unlawful gain. The appellate authority after perusing the evidence observed that though there are reasons to doubt these bona fides of the Opponent, as the management has not proved the mala fides the charge can be taken to have been established only to the extent of gross negligence That would mean that the appellate authority has given the full benefit of doubt, of he paucity of evidence as regards forgery or mala fide intention. However, it concluded that the payment made was highly irregular as it did not have the sanction of the Manager or even the credit in the S.B. account to make such payment. The Opponent who had handled that account on that day while paying for the first-withdrawal have noted that there was no balance in the credit and still made a further payment of Rs. 3000. In such a case the conclusion gross negligence is fully justified. The Opponent who is occupying a responsible position in the Branch cannot escape his liability by putting forward his plea that there was pressure of work. The fact that he had made good the amount when it was pointed out by the Manager a few days thereafter without any further verification would lead to further conclusion that there was some had intention on his part to have the amount misused to the extent possible Such an employee is quite undesirable in service and it cannot be said that the punishment imposed to him by way of discharge is highly disproportionate to the misconduct committed by him. Hence, I hold that the findings as well as the punishment imposed are quite justified and proper and pass an award holding the actions of the management in discharging the I Party-workman from service is fully justified and he is not entitled to any relief. Parties shall bear their own costs.

V. H. UPADHYAYA, Presiding Officer.

[No. L-12012/143/79-D.II(A)]

N. K. VERMA, Desk Officer

New Delhi, the 17th February, 1983

S.O. 1457.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Calcutta Telephones, Calcutta, and their workmen, which was received by the Central Government on the 8th February, 1983.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

Reference No. 14 of 1981

PARTIES :

Employers in relation to the management of Calcutta Telephones, Calcutta.

AND

Their Workmen.

APPEARANCES :

On behalf of Employers—Mr. B. R. Ghosal, Advocate.

On behalf of Workmen—Mr. J. C. Consul, Advocate.

STATE : West Bengal. INDUSTRY : Telephone.

AWARD

By Order No. L-40012(8)/79-D.IIB dated 20th March, 1981 the Government of India, Ministry of Labour, referred the following dispute to this Tribunal for adjudication :

"Whether the action of the General Manager, Calcutta Telephones, 8 Bentinck Street, Calcutta-700001 in terminating the services of Shri Ramasis Singh and 19 other casual workmen on various dates as fully detailed in the Annexure is legal, proper and justified ? If not, to what relief are the workmen entitled ?

ANNEXURE

Sl. No.	Name	Designation	Date of Termination
1	2	3	4
1.	Sujauddin Gazi	Mazdoor	1-9-78
2.	Md. Abdul Hakim Gazi	,,	1-9-78
3.	Ras Behari Das	,,	1-9-78
4.	Bikas Chand Das	,,	1-9-78
5.	Surendra Nath Biswas	,,	1-9-78
6.	Gopal Ch. Bhattacharjee	,,	1-9-78
7.	Bankim Ari	,,	1-9-78
8.	Haripada Ari	,,	1-9-
9.	Madan Ari	,,	1-9-78
10.	Subal Ch. Bar	,,	1-9-78
11.	Mundrika Thakur	,,	1-9-78
12.	Ram Ashis Singh	,,	1-9-78
13.	Dilip Kumar Das	,,	1-9-78
14.	Abhijit Dutta	,,	1-9-78
15.	Lal Babu Roy	,,	1-9-78
16.	Singeshwar Rai	,,	1-9-78
17.	Mrinal Kanti Basak	,,	1-10-78
18.	Iamadul Hakue Laskar	,,	1-10-78
19.	Tapas Kumar Naskar	,,	1-10-78
20.	Subhash Chandra Maity	,,	19-9-78

2. The case of the casual workmen is that all of them completed one year's service and also more than 240 days continuously in a year in the underground Cable department of Exchange No. 77 of Calcutta Telephones. It is alleged that suddenly 16 of the workmen from 1st September, 1978 and Subhas Chandra Maity from 19th September, 1978 and Mrinal Kanti Basak, Imadul Hakue Laskar and Tapas Kumar Naskar from 1st October, 1978 were not given work and they were told by the Divisional Engineer that their services were terminated. It is said that there was no charge-sheet nor any reason was assigned for such termination nor any workman was given notice or payment in lieu thereof, nor retrenchment compensation and other benefits to which they were entitled to for having completed more than one year's service were paid. The management denied and contested the claim of the casual employees on the ground that there was no industrial dispute, that they were merely casual mazdoors on ad hoc basis locally due to exigencies arising out of severe cable fault and break down in the year during monsoon and they were retained in the work only so long as the specified job continued and on the completion of the job there was no necessity to continue their service and as no new work was allotted to them they could not be kept in service any longer; that they were never regularised in the monthly scale of pay as for regular employees, and they were simply engaged on daily date basis and were paid against attendance-sheet (Muster roll) at the end of the month. The management says that they were engaged against work order for specified job and for specific period and after completion of the said job their services automatically ended. The management thereafter ceased to utilise them and they were not employees thereafter and hence they are not entitled to any relief. It is further said that they had not been employed through Employment Exchange. The management has pointed out that the workmen No. 1 to 18 in the reference completed one year's service whereas the workmen in Sl. No. 19 and 20 (seems to be a mistake for Sl. Nos. 15 and 16) worked only for six months. Before this Tribunal it has been admitted on behalf of the concerned workmen that two of them, namely, Lal Babu Roy (Sl. 15) and Singeshwar Rai (Sl. 16) of the reference worked only for six months. I would deal with their cases separately.

3. So far as the 18 casual employees (i.e. Sl. Nos. 1 to 14 and 17 to 20) are concerned, they have without any doubt worked for more than 240 days in calendar year. This is clear from the Muster Roll (Ext. M-1) filed by the management to comply with the provisions of Sec. 25F of the Industrial Disputes Act, 1947. In my opinion the answer to this question must be in the affirmative. The case is fully covered by the Division Bench case of the Calcutta High Court in Tapan Kumar Jana v. Genedal Manager, Calcutta Telephones and Others, 1980(2) CLJ 488. In that case another workman on almost identical case history had moved the Hon'ble High Court of Calcutta under Article 226 of the Constitution. It was held : (i) that the Calcutta Telephones is an industry within the meaning of Section 2(J) of the Industrial Disputes Act, 1947; (ii) that Tapan Jana though only a casual labourer was a workman within the meaning of Section 2(s) of the ID Act 1947 and (iii) that the tedmination of service of the concerned workman though only a casual labourer amounted to "retrenchment" within the meaning of Section 2(oo) of the said Act. In that case also the concerned workman had worked for about 15 months till his service was terminated, that is, he had worked for more than 240 days in a year. The management in that case had not complied with the provisions of Section 25F of the Act and hence the termination of service was held to be illegal and the management was directed to reinstate the concerned employee in service as a casual labourer with all back wages with the observation that the management will be entitled to terminate his service after complying with the provisions of Secion 25F of the Act and in accordance with law. The management went to the Supreme Court against that decision but the special leave petition was dismissed on 16th February, 1982. Similar facts arise in the present case. Similar nature of evidence has been adduced, only the names of the employees are different. I am told that four more casual employees have succeeded in the Hon'ble High Court of Calcutta against the same employer in similar situation.

4. Sri Ghosal, appearing for the management, argued that these persons had not come through Employment Exchange and hence they cannot be absorbed. In my opinion this argument is of no assistance to him in the present facts and circumstances of the case. The Calcutta Telephones themselves had appointed these persons. Moreover, the validity of appointment is not for decision, it is the legality of termination of service which is to be considered. The facts and circumstances of the present case are fully covered by the Calcutta decision aforesaid and it must therefore, be held that the termination of service of the 18 casual workman out of 20 mentioned in the annexure to the Schedule of reference involved in the present case was invalid and void for non-compliance of the provisions of Section 25F of the Industrial Disputes Act, 1947.

5. As regards the two casual employees Sl. Nos. 15 and 16 Lal Babu Roy and Singeshwar Rai respectively, of the reference are concerned, it is clear that they have no case. They are not protected by Section 25F of the Act. Under the provisions of that section only the workmen who have been in continuous service for not less than one year shall not be retrenched until certain conditions specified in the section are fulfilled. It is however argued on behalf of these workmen that Section 9A notice was not served. The point has no force. It is a case of termination of service and not of any change in the conditions of service. In order to attract Sec. 9A the change proposed must be in the condition of service applicable to the workman in respect of any matters specified in the Fourth Schedule of the Act. If the proposed change falls in any of the matters specified in the Fourth Schedule the change could be effected after giving notice in the prescribed manner and waiting for 21 days after giving such notice. No such question arises here. It is an end of service and not a change in service. The argument is rejected. The order of the management terminating the service of these two casual workmen, therefore, cannot be interfered with.

6. For the reasons given above, my Award is that the action of the General Manager, Calcutta Telephones, 8-Bentink Street, Calcutta-700001 in terminating the services of workmen named in Sl. 1 to 14 and 17 to 20 in the Annexure to the Schedule of Reference from the dates specified against their names is illegal, improper and unjustified. The 18 concerned workmen are, therefore, entitled to be reinstated with back wages and the management is directed to do so. I would however observe that it will be open to the management to retrench them after complying with the provisions of Section 25F of the Industrial Disputes Act, 1947. As regards Lal Babu Roy and Singeshwar Rai (Serial Nos. 15 and 16 of the reference) the action of the management in terminating their services is legal and justified and they are not entitled to any relief.

Dated, Calcutta,

M. P. SINGH, Presiding Officer

28th January, 1983.

[No. L-40012(8)/79-D.II(B)]

S.O. 1458.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Calcutta Telephones, and their workmen, which was received by the Central Government on the 7th February, 1983.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL.

CALCUTTA

Reference No. 27 of 1981

PARTIES :

Employers in relation to the management of Calcutta Telephones.

AND

Their Workmen.

APPEARANCES :

On behalf of Employers—Mr. B. R. Ghosal, Advocate.

On behalf of Workmen—Mr. S. N. Banerjee, Advocate, Sm. Shukla Kabir, Advocate.

STATE : West Bengal. INDUSTRY : Telephone.

AWARD

The Government of India, Ministry of Labour by Order No. L-40012(11)/79-D.II.B dated 15th June, 1981 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the General Manager, Calcutta Telephones, 8-Bentick Street, Calcutta-700001, in terminating the services of Shri Arun Kumar Dey and 27 other casual workers on 1-8-78/1-9-78 as detailed in the attached annexure, is legal, proper and justified ? If not, to what relief the workmen are entitled ?"

ANNEXURE

1. S/Shri Arun Kumar Dey
2. Arun Kumar Mitra
3. Jageswar Ray
4. Chittapada Naskar
5. Rameswar Singh
6. Shambhu Roy
7. Samarendra Mondal
8. Kapil Deo Prasad
9. Bimal Banik
10. Shiv Ch. Singh
11. Dinesh Singh
12. Ashoke Kr. Hazra
13. Hariram Mahato
14. Mangal Sahani
15. Rameswar Shaw
16. Khalak Ali Molla
17. Bhusan Roy
18. Basudev Das
19. Sibu Dey
20. Sri Balak Roy
21. Singhasan Thakur
22. Rajdeo Roy
23. Kapil Deo Singh
24. Lalit Kr. Dowary
25. Moujilal Roy
26. Gananath Shahoo
27. Barho Singh
28. Hiranmay Bhattacharjee."

2. Admittedly the 28 persons were causal employees of the Calcutta Telephones. Their services were terminated by the SDO of Phones (South) Russa External with effect from 1st August/1st September, 1978 under verbal order. Their case is that they were appointed after interveiws taken by the said SDO, Phones in 1976 and they worked as helper, cable jointers wire men, store keeper, etc. in the matter of installation of telephones amongst other regular workers of the employer and they were paid on the 5th day of every Calendar month for the work rendered by them on daily basis. It is further said that their attendance used to be recorded in the attendance register and the were also issued personal record of employment as daily rated mazdoors. They have alleged that they were not paid any retrenchment compensasation or other compensation of any manner nor they were given one month's notice or any pay in lieu thereof as required by law. They have also said that they worked for not less than 240 days during a period of 12 calendar months preceding the date of termination of service. They prayer is for reinstatement with full back wages.

3. The management has contested their claim on the ground that the concerned workmen were merely casual mazdoors purely on casual basis and their terms of employment was on "no work no pay" basis, that they were not employed through Employment Exchange and they had been employed merely on ad hoc basis to meet the exigencies of a particular job and that on the completion of the said job there was no necessity to keep them in service. The further ground taken

by the management is that the concerned workmen were engaged as hired labourers according to the exigencies of work from time to time and not according to any specific recruitment rules, that they were never regularised in the monthly scales of pay and hence they could not legally claim anything from the employer. The management has also pointed out that they had been engaged locally purely on casual basis without giving even a letter of appointment, that they had not been appointed against any vacancy or in any existing post of regular establishment on the Calcutta Telephones and their names were borne in the Muster Roll only and not in any register of regular establishment.

4. Both parties have filed documentary evidence. Management has filed the Muster Roll of the workers collectively marked Ext. M-1. The concerned employees have filed various letters through which demand for reinstatement with back wages was made as also the service records of employment. No oral evidence has been adduced by either side.

5. Both parties have been heard. In this case it is not necessary to discuss the evidence on record because the case is fully covered by the Division Bench decision of the Calcutta High Court in Tapan Kumar Jana v. General Manager, Calcutta Telephones & Others, 1980 (2) CLJ 488. In that case another workman on the almost identical case history had moved the Hon'ble High Court of Calcutta under Article 226 of the Constitution. It was held : (i) that the Calcutta Telephones is an industry within the meaning of Section 2(j) of the Industrial Disputes Act, 1947; (ii) that Tapan Kumar Jana though only a casual labourer was a workman within the meaning of Section 2(s) of the I.D. Act and (iii) that the termination of service of the concerned workman though only a casual labourer amounted to retrenchment within the meaning of Section 2(oo) of the said Act. In that case also the concerned workman had worked for about 15 months till his service was terminated, that is, he had worked for more than 240 days in a year. The management in that case hadnot complied with the provisions of Section 25F of the Act and hence the termination of service was held to be illegal and the management was directed to reinstate the concerned employee in service as a casual labourer with all back wages with the observation that the management will be entitled to terminate his service after complying with the provisions of Section 25F of the Act and in accordance with law. The management went to the Supreme Court against that decision but the special leave petition was dismissed on 16th February, 1982. Similar facts arise in the present case. Similar nature of evidence has been adduced, only the names of the employees are different. I am told that four more casual employees have succeeded in the Hon'ble High Court of Calcutta against the same employer in similar situation.

6. Sri Ghosal, appearing for the management argued that these persons had not come through Employment Exchange and hence they cannot be absorbed. In my opinion this argument is of no assistance to him in the present facts and circumstances of the case. The Calcutta Telephones themselves had appointed these persons. Moreover, the validity of appointment is not for decision, it is the legality of termination of service which is to be seen by this Tribunal. The facts and circumstances of the present case are covered by the Calcutta decision aforesaid and it must, therefore, be held that the termination of service of the 28 casual labourers involved in the present case was not valid and void for non-compliance of the provisions of Section 25F of the Industrial Disputes Act, 1947.

7. For the reasons given above my Award is that the action of the General Manager, Calcutta Telephones, 8-Bentinck Street, Calcutta-700001 in terminating the services of Sri Arun Kumar Dey and 27 other casual workers on 1st August, 1978/1st September, 1978 is illegal, improper and unjustified. The 28 concerned workman are, therefore, entitled to be reinstated with back wages and the management is directed to do so. I would however observe that it will be open to the management to retrench them after complying with the provisions of Section 25F of the Industrial Disputes Act, 1947.

Dated, Calcutta,

The 25th January, 1983.

M. P. SINGH, Presiding Officer.

[No. L-40012(11)/79-D.II(B)]

S.O. 1459.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Tamilnadu, in the industrial dispute between the employers in relation to the management of Central Cattle Breeding Farm and Regional Station for Forage Production and Demonstration and their workmen, which was received by the Central Government on the 11th February, 1983.

BEFORE THIRU T. ARULRAJ, B.A.,B.L., PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, TAMILNADU

(Constituted by the Government of India)

Thursday, the 27th day of January, 1983

Industrial Dispute Nos. 55 and 58 of 1982

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of Central Cattle Breeding Farm, Alamadhi and Regional Station for Forage Production and Demonstration, Alamadhi, Avadi, Madras-600052).

BETWEEN

The workmen represented by the General Secretary, Agriculture and Irrigation Workers Union (CITU), Alamadhi, Avadi, Madras-600052.

AND

1. The Director, Central Cattle Breeding Farm, Alamadhi, Avadi, Madras-600052.

2. The Director, Regional Station for Forage Production and Demonstration, Alamadhi, Avadi, Madras-600052.

REFERENCE :

Order No. L-42011/19/81/D-II(B), dated 18th September, 1982 of the Ministry of Labour, Government of India (In I.D. No. 55 of 1982).

Order No. L/12011/22/81/D-I(B), dated 30th September, 1982 of the Ministry of Labour, Government of India (In I.D. No. 58 of 1982).

These disputes coming on this day for hearing upon perusing the references, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiruvalargal K. Chandru and D. Hariparanthaman, Advocates for the workmen in both the disputes and the Managements in both the disputes being absent and set ex-parte, this Tribunal made the following common award.

COMMON AWARD

I.D. No. 55 of 1982

This dispute arises out of a reference in Order No. L-42011/19/81/D-II(B) dated 18th September, 1982 by the Government of India, Ministry of Labour.

I.D. No. 58 of 1982

(2) This dispute arises out of a reference in Order No. L-12011/22/81-D. I(B), dated 30th September, 1982 by the Government of India, Ministry of Labour.

(3) Both the disputes are by Agriculture and Irrigation Workers' Union (CITU) Alamadhi, Avadi, Madras-52, I.D. No. 55 of 1982 is for reinstatement of 18 Agricultural Labourers including one Watchman in the 1st Respondent-Management and two, one Assistant Store Keeper and other Despatching Office Boy in the 2nd Respondent Management and IID. No. 58 of 1982 is for regularisation of 230 workers and not 240 workers as referred in the reference, 200 working in the 1st Respondent-Establishment and 30 working in the 2nd Respondent-Establishment including the persons thrown out of employment referred in I.D. No. 55 of 1982.

(4) According to the allegations in the claim petition in both I.D. Nos. 55 and 58 of 1982, 200 persons are employed in the 1st Respondent-Establishment, namely, Central Cattle Breeding Farm, Alamadhi and 30 persons are employed in the 2nd Respondent-Establishment, namely Regional Station for Forage Production and Demonstration, Alamadhi, Avadi, Madras-52. All the workers are working for the last two to eight years and still their services are not regularised, but on the other hand, they are paid only daily wages at Rs. 2. Union was formed in 1981 and correspondences were initiated for the regularisation of their services. Instead of complying with the demands of the Union, the first Respondent-Establishment has terminated the services of 18 persons, one watchman and the rest agricultural labourers working for nearly one to six years without any notice or compensation and the second Respondent-Establishment has terminated Assistant Store Keeper and Despatching Office Boy working for the last six and five years respectively on various dates from 18th November, 1980 to 2nd August, 1981 Both non-regularisation and termination are illegal. Therefore the dismissed persons are entitled to be reinstated with back wages and all the 230 workers including those to be reinstated are to be regularised. Hence this dispute has been raised.

(5) Both the Respondents, in spite of service of notice and also personal communication, did not turn up. They were called absent and set ex-parte.

(6) The points for determination in this case will be :

(i) Whether the termination of 20 workers, viz, 18 workers by the 1st Respondent-Management and 2 workers by the 2nd Respondent-Management is valid ;

(ii) whether the services of 200 employees in the 1st Respondent-Management and 30 persons in the 2nd Respondent-Management including those reinstated should be ordered ; and

(iii) what relief are the parties are entitled to.

(7) Points (i) and (ii).—W.W. 1, the Assistant Store Keeper in the 2nd Respondent-Management has spoken to the number of employees as 200 in the 1st Respondent-Management and 30 workers in the 2nd Respondent-Management and not 240 workers in both the establishments as referred in the reference in I.D. No. 58 of 1982 on the file of this Court. He has also stated that all these employees are not regularised and after the formation of the Union in 1981 and when the Union agitated over their rights, all persons took prominent part in the formation of the Union as listed in the claim statement including himself were sent out without any enquiry or notice and compensation. He has therefore prayed that all those who have been removed from service must be reinstated and that including the persons to be reinstated, 230 workers must be regularised in service Except his evidence, there is no evidence, contra.

(8) On the un-challenged evidence of W.W. 1 supported by the documents Exs W-1 to W-11, I have no hesitation to accept his evidence in toto and hold that the termination of service of 18 persons by the 1st Respondent Management and 2 persons by the 2nd Respondent-Management as mentioned in the claim statement in I D. No. 55 of 1982 is not proper and therefore illegal, and they are to be reinstated forthwith with back wages On the same evidence, I have no hesitation to hold that 200 persons, employed in the 1st Respondent-Management and 30 persons employed in the 2nd Respondent-Management, including persons who have been terminated and to be reinstated are not made permanent even though they are working in the Respondent-Management over one year and therefore they must be regularised from 1st July, 1981 as demanded by the Union in the claim statement in I.D. No 58 of 1982 Both these points, therefore, I find in favour of Petitioner-Union.

(9) Point (iii).—In the result, an Award is passed ordering reinstatement of these 20 persons, removed from service as referred in I.D. No. 55 of 1982 with back wages and, regularisation of 200 persons, in the 1st Respondent-Management and 30 persons in the 2nd Respondent-Management including the persons to be reinstated, as ordered in I.D. No. 58 of 1982. As the Respondent-Managements did not appear and resist these disputes, there will be no order as to costs in both these disputes.

Dated, this 27th day of January, 1983.

T. ARULRAJ, Presiding Officer

WITNESS EXAMINED

For workmen :

W.W. 1—Thiru M. P. Subramaniam

For Managements : None.

DOCUMENTS MARKED

For workmen :

Ex. W-1/20-7-81—Letter from the Union to the Managements intimating the names of protected workmen.

Ex. W-2/23-7-81—Letter from the Union to Management No. 1 regarding change of payment time.

Ex. W-3/29-7-81—Letter from the Union to the Regional Labour Commissioner, Madras for taking up conciliation proceedings.

Ex. W-4/31-7-81—Letter from the Union to the Regional Ltbour Commissioner, Madras regarding payment of one day wages.

Ex. W-5/3-8-81—Letter from the Union to the Regional Labour Commissioner, Madras regarding refusal to give work to the workmen by the Management.

Ex. W-6/17-9-81—Conciliation failure report.

Ex. W-7/15-7-81—Letter from the Union to the Minister for Agriculture regarding permanency of the workmen.

Ex. W-8/20-7-81—Charter of demands of the Union submitted to the Management.

Ex. W-9/29-7-81—Letter from the Union for taking up conciliation proceedings.

Ex. W-10/9-9-81—Letter from the Union to the Regional Labour Commissioner, Madras for conciliation and settlement.

Ex. W-11/6-11-81—Conciliation report.

For Managements : Nil.

T. ARULRAJ, Presiding Officer

[No. L-42011(19)/81-D. II(B)]

New Delhi, the 23rd/24th February, 1983

S.O. 1460.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, cum Labour Court No. 1, Bombay in the Industrial dispute between the employers in relation to the management of Air India and their workmen, which was received by the Central Government on the 9th February, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

Reference No. CGIT-21 of 1978

PARTIES :

Employers in relation to Air-India.

AND

Their Workman

APPEARANCES :

For the employer—Mr. F. N. Kaka, Advocate Mr. S. K. Wadia, Advocate, Mr. B. P. Israni, Advocate Miss Roshni Andhyarujina, Advocate.

For Air-India Employees—Mr. N. G. Bhinde, Advocate.

STATE : MAHARASHTRA. INDUSTRY : Airlines

Bombay, dated the 21st day of January, 1983

AWARD

The Government of India, Ministry of Labour, by order No. L-11012(3)/77-D.II(B) dated 12th September, 1978, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, have referred to this Tribunal for adjudication an industrial dispute between the employers in relation to the management of the Air-India and their workman in respect of the matters specified in the schedule mentioned below :—

SCHEDULE

"Whether the action of the management of the Air-India in terminating the services of Shri U. D. Dabholkar, Cleaner of Ground Supporting Division, with effect from the 7th March 1974, is justified? If not, to what relief is the said workman entitled?"

2. The workman, U. D. Dabholkar, was appointed as a cleaner on probationary basis with effect from 9-6-1971 and was confirmed in the service of Air-India (hereinafter referred to as the "Corporation") with effect from 1-12-1971. A charge-sheet was issued to him on 17-4-1973 for the following two charges :—

"(i) Theft of property belonging to the Corporation.

(ii) Aiding and abeting in the act of theft for earning pecuniary gain."

The explanation given by the workman was found to be un-Satisfactory. An Inquiry committee, therefore, was constituted to hold inquiry into the charges. After recording evidence the Inquiry committee found that the charges framed against the workman were proved. After taking into account the past record of the workman and the serious nature of the charges the competent authorised passed an order of removal of the workman from the service of the Corporation. The workman's appeal was rejected by the Managing Director of the Corporation by his order dated 4th/6th November, 1974. The workman approached the Regional Labour Commissioner(C), Bombay, by his letter dated 17th October, 1975.

3. The workman was prosecuted for offences under Section 381 read with 114 along with the other two persons involved in the alleged act of theft. All the three accused were acquitted by the Metropolitan Magistrate, Bombay, on 17-9-1974. A departmental inquiry was, however, held pending this criminal prosecution. In the statement of claim the workman alleged that the report of the inquiry committee was partial, vitiated and unfounded that it was not proved that there was theft of the property belonging to the Corporation; that the inquiry suffered from serious infirmities and there was violation of the principles of natural justice. There was infirmity introduced in the inquiry proceedings as a result of common inquiry held against the three workmen: The stolen property was not before the committee. It was also stated in the statement of claim that the order of removal from the service was unlawful and against the principles of natural justice. It was pointed out that the Corporation has retained the two other workman in service and he only was removed from the service. The workman, therefore prayed that he was entitled to reinstatement with continuity of service and all back wages.

4. The Corporation by its written statement filed on 24th September, 1981, pleaded as follows. No reasons were given as to why the inquiry committee's report was charcterised as vitiated, partial and against the principles of natural justice. The inception of stolen property was offered to the workman on two occasions. The stolen property was lying at the Police Station. But, on both occassions the offer was not availed of by the workman. It was denied that there were infirmities in the conduct of the domestic inquiry. There was no infirmity in holding a common inquiry against the three workmen, since it was a common incident. However, witnesses of each workman were examined separately and independently. No objection was taken during the inquiry proceedings to this procedure adopted by the inquiry committee. No prejudice has been caused to the workman as a result of this procedure. The other workmen were given lesser punishment because they deserved lesser punishment. The workman was not honourably acquitted by the learned Metropolitan Magistrate, but he was given the benefit of doubt. It was, therefore pleaded that the workman was not entitled to reinstatement with continuity of service or back wages.

5. In the supplementary written statement filed by the Corporation on 14th April, 1982, it was alleged that the workman was charge-sheeted in 1972 for unauthorssed driving of the Corporation's vehicle without valid driving licence. He admitted the charge and asked for pardon. He was, therefore, given light punishment. It was further alleged that on 4th November, 1972, the workman was caught at the gate carrying a hammer belonging to the Corporation wrapped in a newspaper. He was, therefore, charge-sheeted in 1972 for theft of the property of the Corporation. He admitted the charge and expressed regret, and gave an assurance that he would not commit any such act in the future. In view of this, a lenient view was taken and the punishment of suspension for four days on loss of pay and allowances was imposed on him. It was pointed out in the supplementary written statement that the Corporation's Service Regulations provided that while awarding punishment the competent authority should considered inter alia, the past service record of the workman, and any extenuating or aggrevating circumstances. As against this, it was pointed out in this written statement that the past service record of two other workmen was clean.

6. On the contention raised by the workmen, the preliminary issue whether the inquiry was fair and in conformity with the principles of natural justice was framed by my order dated 12-10-1982. I held that the inquiry was fair and proper. Now, the inquiry committee held on the materials produced before it that both the charges framed against the workman were conclusively proved. These findings were recorded on 17-1-1974. The inquiry papers are placed on record by the Corporation (exhibit C-1). The question for consideration is whether the findings of the inquiry committee are proper. The Corporation examined R. P. Budlikar, Dy. Controller, Ground Support Division, Raisinghani, Senior Security Officer and J. R. Puri, Controller, Ground Support Division. These three are the officers of the Corporation. Besides, three police officers were examined. They are D B. Gorad, Sub. Inspector, Vile Parle Police Station, T. K. Raskar, Police Constable and Sharad Appalji Waidande, a police constable. I shall first take up the evidence of these two police constable, S. A. Waidande and Raskar. Waidande stated that he was on duty on 15-3-1973 at about 9.20 P.M. at the Airport Cargo Gate. A hutment dweller came to him and informed him that some property of Air India was being stolen and that they had apprehended the culprits and that he should take charge of the culprists. He telephoned and requested for additional help from the police counter. Police constable, Raskar came for his help and he then made penchnama and took the persons apprehended to the Vile Parle Police Station. The evidence of Waidande was corroborated by the evidence of Raskar. Both of them identified the present workman as one of the three persons who were caught hold of by the hutment dwellers. Waidende stated in his statement that Rathod was holding fire extinguisher blew out cap on in his shoulder

7. The evidence of Raisinghani Sr. Security Officer shows that while he was on duty on the night of 16th March, 1973, one of the security assistants informed him at about 9.45 p.m. that these members of the staff had been arrested by the police while committing theft of some property of the Corporation. He went to the police station at Vile Parle at about 10.30 p.m. At the police station he noticed the present workman and two others viz., Rathod and Sardare. Raisinghani stated that on an

inquiry from him as to what theft they committed they told him that they have removed 11 rings from the Ground Support Division and they were thrown out near 384 bus-stop, by Rathod and that those rings were disposed of by Dabholkar and Sardara, to a Marwari at Vile Parle. They further told him that at about 9.00 P.M. Rathod had thrown out a fire extinguisher blow out cap from Ground Support Division and it was picked up by Dabholkar and Sardara. The police at the police station told him that somebody should lodged a complaint. He (Rausingham), therefore, phoned to J. R. Puri, he being the head of the Ground Support Division. Accordingly Mr. Puri came there. Puri said that he would call Hudlikar who would lodge a compaint. Accordingly, Puri telephoned to Hudlikar, who came at the police station and lodged a complaint.

8. Puri stated in his evidence before the inquiry committee that after he went to the police station at about 10.00 p.m. he found the three workmen, Rathod, Dabholkar and Sardara at the police station. At that time he questioned all the three workmen. Rathod admitted that he had removed the fire extinguisher cap from the spare parts rack at the Ground Support Division, and threw it outside the wall, when Dabholkar and Sardara were standing outside. Rathod further stated that after throwing out the fire extinguisher cap he left the Air-India premises and joined Dabholkar and Sardara. At that time they were caught by hutment dwellers. Puri stated that all the three workmen viz., Rathod, Dadholkar and Sardara pleaded that they had committed the theft and they will never commit any theft in future and pleaded for mercy. Puri stated that he asked them whether they had removed anything else from the Air-India premises and all of them admitted that they had removed 11 centour rings from Air-India old passenger step and sold them to a Marwari gentleman living in Vile Parle. They further told him that the amount of the said sold rings was distributed among them. Puri went on to say that since he was proceeding on duty abroad, he contacted Hudlikar and called him to Vile Parle police station.

9. Hudlikar stated in his evidence before the inquiry committee that after he received the phone call from Puri he went to the police station at about 1.30 at night. He saw the three workmen there. He was also shown a fire extinguisher blow out cap which he identified as one of Air-India property. Puri told him that he was shortly proceeding on leave and therefore he would not be in a position to follow up the matter. Hudlikar, therefore, filed the First Information Report to the police station.

10. PSI Gorad stated in his deposition that on the night of 16th March, 1973, at about 11.20 P.M. he was on duty at the police station. At that time the two police constables reported to him that the three persons whom they had brought were detained by the hutment dwellers while they were carrying a fire extinguished cap. Gorad stated that the constables had made a panchnama near the gate of Air-India about the arrest of the three persons and the seizure of the extinguisher cap from them. He went on to say that Hudlikar, an officer of the Corporation who came to the police station identified the property as the property of the Air-India. He further stated that after registering the case the accused were put under interogation by him. The accused Dabholkar then admitted before him that he, Sardara and Rathod had committed the theft of the box containing white metal rings with Air-India emblem. Dabholkar admitted before him that he and Sardara sold the rings to a Marwari and thereafter he pointed out the shop of the said Marwari. Gorad went on to say that the box containing the rings were recovered from the Marwari at the instance of Dabholkar. Hudlikar in his statement before the inquiry committee stated that sometime later he was shown these 11 rings which are used on Pax Step Ladder side railings and he identified them as Air-India property.

11. Mr. Kaka, the learned counsel for the Corporation, invited my attention to the decision of the Supreme Court in the case of Shri I. D. Jain v. Management of State Bank of India (1982 I L.L.J. p. 54). In that case the workman was working as a cashier in the Meerut City Branch of the State Bank of India. The workman was charged with the misconduct of misappropriation and perjury of the Bank's records. The misappropriation consisted of an amount of Rs. 1,000. The inquiry officer found the workman guilty. The Central Government Industrial Tribunal at Delhi, however, found that there was no sufficient evidence to prove the guilt of the workman, and directed the reinstatement of the workman with full back wages. The High Court allowed the writ petition of the Bank and quashed the award of the Tribunal. The workman filed a civil appeal before the Supreme Court. The Supreme Court dismissed the appeal. The Supreme Court observed.—

> "In a case like the one before us, three kinds of proceedings against the delinquent are possible:
>
> (i) departmental proceedings and action,
>
> (ii) criminal prosecution for forgery and misappropriation,
>
> (iii) civil proceedings for recovery of the amount alleged to be mis-appropriated.
>
> The respondent herein adopted course (i) and instituted the domestic enquiry in which the principles applied by the Tribunal is not applicable; in such an enquiry guilt need not be established beyond reasonable doubt; proof of misconduct may be sufficient. The learned Tribunal has committed another error in holding that the finding of the domestic enquiry was based on "hearsay" evidence. The law is well settled that the strict rules of evidence are not applicable in a domestic enquiry. The Court in the case of State of Haryana and another v. Rattan Singh reported in (1982 I L.L.J. 46), held:
>
> "It is well-settled that in a domestic enquiry the strict and sophisticated rules of evidence under the Indian Evidence Act may not apply. All materials which are logically probative for a prudent mind are permissible. There is no allergy to hearsay evidence provided it has reasonable nexus and credibility."

12. Mr. Kaka, the learned counsel for the Corporation, submitted that the evidence adduced by the Corporation before the inquiry committee was sufficient to prove the guilt of the workman. It is true that the Criminal Court acquitted this workman by giving him the benefit of doubt. However, if the evidence adduced by the Corporation is considered in the light of the observations made by the Supreme Court it must be held that the materials that were before the inquiry committee were sufficient to prove the charges against the workman.

13. In this inquiry the workman refused to make any positive statement before the inquiry committee. In reply to a question put by the inquiry committee after the evidence of the Corporation's witnesses was recorded, the workman stated that a criminal case was pending against him and he would give his version there. A point was taken at the time of hearing on the preliminary point about the fairness of the inquiry that the inquiry committee should not have proceeded with the inquiry till the criminal case was decided. Pointing out to the observations in the judgment of the Supreme Court in the case of Tata Oil Mills Company Ltd. and its workmen (1964 II L.L.J. 113) I have rejected the contentions that the inquiry was vitiated as it was made during the pendency of he criminal case.

14. Coming briefly to the evidence before the inquiry committee it must be said that the evidence of the two police constables shows that the workman and the two others were apprehended by the hutment dwellers. On the information received by one of the two police constables they went on the spot and found that the three workmen were apprehended by the hutment dwellers. The fire extinguisher cap was with one of them. The police constable made a panchnama and put the three workmen to the police station. At the police station the workman admitted the guilt before the two officers of the Corporation viz., Rajsinghani and Puri. The officers of the Corporation identified the property at the police station as the property of the Air-India. It appears from the proceedings before the inquiry committee that the committee had offered the inspec-

tion of this property to the workman. The workman was asked whether he would like to inspect the property by going to the police station where it was kept. That offer was not accepted by the workman. The contention, therefore, taken on behalf of the workman that the property is not identified during the inquiry proceedings has no substance. The evidence of PSI, Gorad further shows that this workman made a statement that the 11 rings were sold to a Marwari at Vile Parle and that he took the PSI there and in consequence of that information 11 rings were recovered from the Marwari. All these materials, in my view, establish the guilt of the workman.

15. The first charge against the workman was "theft of the property belonging to the Corporation". The second charge was "aiding and abeting in the act of theft for earning pecuniary gain". It is true that the material shows that the articles which are the subject matter of theft were first thrown out from the premises of the Corporation by Rathod. They were thrown out of the wall and at that time the workman Dabholkar and Sardara were outside the wall for collecting that material. It appears that the box containing 11 rings was thrown out earlier. The fire extinguisher Cap might be thrown later. While the three workmen were about to remove that cap the hutment dwellers surrounded them and apprehended them. Even though, therefore, the materials were thrown out of the compount of the Corporation by Rathod alone it must be held that the two other workmen, including Dabholkar were parties to the theft. They had a common intention to commit the thef. I am, therefore, of the view that the finding recorded by the inquiry committee holding that both the charges were proved is correct and does call interfer ence.

16. The next question is whether the action of the management in terminating the services of the workman is justified. The management has placed on record the document showing that this workman was required to be punished twice before the incident giving rise to the present reference. He was charge-sheeted on 8th August, 1972, for unauthorised driving of the Corporation's vehicle and for driving it without a valid licence. In his explanation to this charge he admitted the same and asked to be excused. On 21st August, 1972, the punishment of suspension on loss of pay and allowances for a period of two days was imposed on this workman. Again this workman was charge-sheeted on 23-11-1972 for theft of the property of the Corporation. There also he admitted the charge and prayed for mercy, giving an assurance that he would not commit such an act in future. An order dated 29th December, 1972, imposing on him the punishment of suspension on loss of pay and allowances for a period of four days was passed. Both these orders of punishment are placed on record, on behalf of the management. They are at exhibit C-4 and C-7. In the last order dated 29th December, 1972, he was warned that if there be a repetition of any offence in future the management will be constrained to take severe disciplinary action which may even amount to termination of his services.

17. The competent authority viz., the Controller, Ground Handling, observed in his order dated 7th March 1974 (exhibit C-12) that the acts of misconduct committed by the workman are of a very serious nature and warranted the extreme punishment of dismissal from the service of the Corporation. However, having regard to the fact that the workman was a young man of 25 years, he was inclined to take a lenient view and award the punishment of removal from service as provided under Regulation 43(f) of Air-India Employees' Service Regulations.

18. It appears that the services of the two other workmen viz., Rathod and Sardara were not terminated. It appears that Dabholkar had put in only two years service. Rathod had put in about eight years service and Sardara had put in about six years service. Having regard to the length of service of Rathod and Sardara and having regard to other fact that they had otherwise satisfactory record of service the competent authority awarded them a lesser punishment of "reduction by two stages in the time scale of pay". A grievance has been made on behalf of the present workman that the discrimination has been practiced and he has been awarded the higher punishment. I think there is no substance in this grievance. What I have to consider in this reference is whether the action of the management in terminating the services of the workman is justified. Having regard to the facts and circumstances established from the materials that have come on record I find that the action of the management in terminating the services of the workman is justified. The management has given reasons as to why the lesser punishment has been awarded to the two other workmen. The learned counsel for the workman was not present at the time the arguments were heard. When he appeared before me subsequently, I allowed him to submit his arguments in writing. Accordingly, he has filed written arguments. I have gone through them. I do not think that the points urged therein make out the case either against the termination of the services of the workman or against the quantum of punishment awarded to him.

19. In the result, it must be held that the action of the management of the Air-India in terminating the services of the workman, U.D. Dabholkar, with effect from 7th March, 1974, was justified, and he is not entitled to any relief.

20. My award accordingly. No order as to costs.

M. D. KAMBLI, Presiding Officer

[No. I-11012(3)/77-D.II(B)]

A. K. SAHAMANDAL, Desk Officer.

नई दिल्ली, 16 फरवरी, 1983

का. आ. 1461 :—निष्क्रान्त सम्पत्ति प्रशासन अधिनियम, 1950 (1950 का 31) की धारा 6(1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इसके द्वारा कर्नाटक राज्य के कोडागु, बिदार, चिकमगलूर तथा उत्तर कन्नडा जिलों के उपायुक्तों को उनके संबंधित जिलों में, उपायुक्त के रूप में सौंपे गये कार्यों के अतिरिक्त, उक्त अधिनियम द्वारा या उसके अधीन अभिरक्षक को सौंपे गये कार्यों का निष्पादन करने के प्रयोजन से, कर्नाटक राज्य में निष्क्रांत सम्पत्ति के उप अभिरक्षक के रूप में नियुक्त करती है ।

[सं. 1/1/वि. सैल/83-एग.एम. 2(क)]

New Delhi, the 16th February, 1983

S.O. 1461.—In exercise of the powers conferred by Section 6(1) of the Administration of Evacuee Property Act, 1950 (31 of 1950), the Central Government hereby appoints Deputy Commissioners of Kodagu, Bidar, Chickmagalur and Uttar Kannada Districts in Karnataka State, as Deputy Custodins for their respective districts, for the purpose of discharging, in addition to their own duties as Deputy Commissioners, all the duties imposed on the Custodian by or under the said Act in respect of evacuee properties in Karnataka State.

[No. 1(1)/83-Spl. Cells/SS. II(A)]

का. आ. 1462 :—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वास) अधिनियम, 1954 (1954 का 44) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इसके द्वारा कर्नाटक राज्य के कोडागु, बिडार, चिकमगलूर तथा उत्तर कन्नडा जिलों के उपायुक्तों को उनके संबंधित जिलों में उनके अपने कर्त्तव्य-भार के अतिरिक्त, कर्नाटक राज्य में मुआवजा मूल की सम्पत्तियों के संबंध में, उक्त अधिनियम द्वारा या उसके अधीन बंदोबस्त आयुक्त को सौंपे गये कार्यों का निष्पादन करने के लिए बंदोबस्त आयुक्त नियुक्त करती है ।

[सं. 1/1/वि. सैल/83-एस.एम. 2(ख)]

मोहन लाल मैंदीरत्ता, उपसचिव

S.O. 1462.—In exercise of the powers conferred by sub-section (i) of Section 3 of the Displaced Persons (Compensation and Rehabilitation Act, 1954 (44 of 1954), the Central Government hereby appoints Deputy Commissioners of Kodagu, Bidar, Chickmagalur and Uttar Kannada Districts in Karnataka State, as Settlement Commissioners in their respective districts, for the purpose of performing, in addition to their own duties, the functions assigned to a Settlement Commissioner by or under the said Act in respect of properties forming part of Compensation Pool within the State of Karnataka

[No. 1(1)/Spl. Cell/83-SS. II(B)]
S. L. MEDIRATTA, Dy. Secy.

नई दिल्ली, 16 फरवरी, 1983

का. आ. 1463 :—केन्द्रीय सरकार के यह समाधान हो जाने पर कि लोक हित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ढ़) के उप-खण्ड (6) के उपबन्धों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या 3475, तारीख 15 फरवरी, 1982 के द्वारा भारत सरकार टकसाल, अलीपुर, कलकत्ता की उक्त अधिनियम के प्रयोजनों के लिए 28 अगस्त, 1982 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था ।

और केन्द्रीय सरकार की राय है कि लोक हित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ढ़) के उप-खण्ड (6) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 28 अगस्त, 1982 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है ।

[सं. एम-11017/3/80-डी. (1) (ए)]

New Delhi, the 16th February, 1983

S.O. 1463.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the then Ministry of Labour No. S.O. 3475 dated the 15th September, 1982 the India Government Mint, Alipore, Calcutta to be a public utility service for the purposes of the said Act, for a period of six months, from the 28th August, 1982;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months ;

Now, therefore, in exercise of the powers conferred by the provisio to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 28th February, 1983.

[No. S-11017/3/80-D.I(A)]

नई दिल्ली, 23 फरवरी, 1983

का० आ० 1464.—केन्द्रीय सरकार का समाधान हो गया है कि लोकहित में ऐसा अपेक्षित है कि फाइराइट्स खनन उद्योग को, जो औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 20 के अन्तर्गत आता है, उक्त अधिनियम के प्रयोजनों के लिए लोक उपयोगी सेवा घोषित किया जाना चाहिए ,

अतः, अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ढ़) के उपखण्ड (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनार्थ तत्काल प्रभाव से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करता है ।

[एस-11017/1/80-डी०-1-(ए०)]

New Delhi, the 23rd February, 1983

S.O. 1464.—Whereas the Central Government is satisfied that the public interest requires that the services in the Pyrites Mining Industry, which are covered by entry 20 in the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be a public utility service for the purposes of the said Act ;

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares with immediate effect the said industry to be a public utility service for the purposes of the said Act, for a period of six months.

[No. S-11017(1)/80-D.I.(A)]

का० आ० 1465—केन्द्रीय सरकार का समाधान हो गया है कि लोकहित में ऐसा अपेक्षित है कि फासफोराइट खनन उद्योग को, जो औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 23 के अन्तर्गत आता है, उक्त अधिनियम के प्रयोजनों के लिए लोक उपयोगी सेवा घोषित किया जाना चाहिए

अतः अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ढ़) के उपखण्ड (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनार्थ तत्काल प्रभाव से छह माह की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है ।

[एस-11017/2/80-डी० 1-ए०]
एल० के० नारायणन, अवर सचिव

S.O. 1465.—Whereas the Central Government is satisfied that the public interest requires that the services in the Phosphorite Mining Industry, which are covered by entry 23 in the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be a public utility service for the purposes of the said Act.

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares with immediate effect the said industry to be a public utility service for the purposes of the said Act for a period of six months.

[F. No. S-11017/2/82-DIA]
L. K. NARAYANAN, Under Secy.

नई दिल्ली, 18 फरवरी, 1983

का. आ. 1466 :—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 5-घ की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के श्रम मंत्रालय की अधिसूचना का. आ. सं. 1840 तारीख 27-6-1981 को विखण्डित करती है जिसमें श्री के. बी. यादव को, उत्तरी पूर्वी प्रदेश, गौहाटी

के प्रादेशिक भविष्य निधि आयुक्त के रूप में नियुक्ति की अधिसूचित किया गया था ।

[सं. ए-11019/6/80-पी. एफ 1]

New Delhi, the 18th February, 1983

S.O. 1466.—In exercise of the powers conferred by sub-section (2) of section 5D of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby rescinds the notification of the Government of India in the Ministry of Labour S.O. No. 1840 dated 27-6-1981 notifying the appointment of Shri K. B. Yadav as Regional Provident Fund Commissioner for the North Eastern Region, Gauhati.

[No. A-11019(6)/80-PF II]

नई दिल्ली, 19 फरवरी, 1983

का. आ. 1467 .—केन्द्रीय सरकार, कर्मचारी भविष्य-निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 5-घ की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय भविष्य निधि आयुक्त के कर्त्तव्यों के निर्वहन में सहायता करने के लिए सम्पूर्ण हरियाणा राज्य के लिए श्री एस. पी. जैन को क्षेत्रीय भविष्य निधि आयुक्त के रूप में, नियुक्त करती है ।

[सं. ए-11019/5/82-पी. एफ. 1 (1)]

New Delhi, the 19th February, 1983

S.O. 1467.—In exercise of the powers conferred by sub-section (2) of section 5D of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby appoints Shri S. P. Jain as Regional Provident Fund Commissioner for the whole of the State of Haryana to assist the Central Provident Fund Commissioner in the discharge of his duties.

[No. A-11019(5)/82-PF I(i)]

का. आ. 1468 :—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 13 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के भूतपूर्व श्रम मंत्रालय की अधि-सूचना सं. का. आ. 1045, तारीख 2 अप्रैल, 1977 के साथ संलग्न सारणी का निम्नलिखित संशोधन करती है, अर्थात् :—

(1) क्रम सं. 13 के स्तम्भ (2) में आने वाले "हरियाणा" शब्द का लोप किया जाएगा ।

(2) निम्नलिखित नई प्रविष्टि अन्त:स्थापित की जाएगी, अर्थात् :—

अधिकारी	क्षेत्र
(1)	(2)
1 क्षेत्रीय भविष्य निधि आयुक्त, हरियाणा, फरीदाबाद ।	सम्पूर्ण हरियाणा राज्य ।

[सं. ए-11019/5/82-पी एफ 1 (2)]

S.O. 1468.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds and Miscellaneous Provisions Act 1952 (19 of 1952), the Central Government hereby makes the following amendments to the Table appended to notification No. S.O. 1045 dated the 2nd April, 1977 of the late Ministry of Labour Government of India, namely :

(i) the word "Haryana" appearing in column No. (2) of serial No. 13 shall be omitted;

(ii) the following new entry shall be inserted, namely :—

Officers	Area
(1)	(2)
15. Regional Provident Fund Commissioner, Haryana Faridabad.	Whole of the State of Haryana.

[No. A. 11019(5)/82-PF. I(ii)]

का. आ. 1469 .—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 13-क की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के भूतपूर्व श्रम मंत्रालय की अधि-सूचना सं. का. आ. 1046, तारीख 2 अप्रैल, 1977 के साथ संलग्न सारणी का निम्नलिखित संशोधन करती है, अर्थात् :—

(1) क्रम सं 10 के स्तम्भ (2) में आने वाले "हरियाणा" शब्द का लोप किया जाएगा ।

(2) निम्नलिखित नई प्रविष्टि अन्त:स्थापित की जाएगी, अर्थात् :—

अधिकारी	क्षेत्र
(1)	(2)
15. क्षेत्रीय भविष्य निधि आयुक्त, हरियाणा, फरीदाबाद के क्षेत्रीय कार्यालय में सहायक भविष्य निधि आयुक्त ।	सम्पूर्ण हरियाणा राज्य

[सं. ए-11019/5/82-पी एफ. 1 (3)]

S.O. 1469.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Fund and Miscellaneous Provisions Act 1952 (19 of 1952), the Central Government hereby makes the following amendments to the Table appended to notification No. S.O. 1046 dated the 2nd April, 1977 of state Ministry of Labour, Government of India, namely):—

(i) the word "Haryana" appearing in column No. (2) of serial No. 10 shall be omitted;

(ii) the following new entry shall be inserted, namely :—

Officers	Area
(1)	(2)
15. Assistant Provident Fund Commissioner, in the Regional Office of the Regional Provident Fund Commissioner, Haryana, Faridabad.	Whole of the State of Haryana.

[No. A.11019(5)/82-PF I(iii)]

का. आ. 1470 :—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 13 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के भूतपूर्व श्रम मंत्रालय की अधिसूचना सं. का. आ. 1047, तारीख 2 अप्रैल, 1977 के साथ संलग्न सारणी का निम्नलिखित संशोधन करती है, अर्थात् :—

(1) क्रम सं. 11 के स्तम्भ (2) में आने वाले "हरियाणा" शब्द का लोप किया जाएगा ।

(2) निम्नलिखित नई प्रविष्टि अन्तःस्थापित की जाएगी, अर्थात् :—

अधिकारी	क्षेत्र
(1)	(2)
16. क्षेत्रीय भविष्य निधि आयुक्त, हरियाणा, फरीदाबाद के क्षेत्रीय कार्यालय में सभी, भविष्य निधि निरीक्षक ।	सम्पूर्ण हरियाणा राज्य ।

[सं. ए-11019/5/82-पी. एफ. 1 (4)]
पी. सिन्हा, उप-सचिव

S.O. 1470.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds and Miscellaneous Provisions Act 1952 (19 of 1952), the Central Government hereby makes the following amendments in the Table appended to notification No. S.O. 1047 dated the 2nd April, 1977 of the late Ministry of Labour, Government of India, namely :

(i) the word "Haryana" appearing in column No. (2) of serial No. 11 shall be omitted;

(ii) the following new entry shall be inserted, namely :—

Officers	Area
(1)	(2)
16. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Haryana, Faridabad.	Whole of the State of Haryana

[No. A. 11019(5)/82-PF. I(iv)]
P. SINHA, Dy. Secy.

नई दिल्ली, 15 फरवरी, 1983

का. आ. 1471 :—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, (1952 का 19), की धारा 5-क की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सचिव, श्रम एवं पुनर्वास मंत्रालय को केन्द्रीय न्यासी बोर्ड के अध्यक्ष के रूप में नियुक्त करती है, और भारत सरकार के भूतपूर्व श्रम मंत्रालय की अधिसूचना सं. का. आ. 236, तारीख 16 दिसम्बर, 1975 का निम्नलिखित और संशोधन करती है, अर्थात्

उक्त अधिसूचना में क्रम सं. 1 के सामने प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी :—

1. "सचिव,
भारत सरकार,
श्रम एवं पुनर्वास मंत्रालय,
नई दिल्ली" ।

[संख्या बी.-20012/3/82-भ. नि.-2]

New Delhi, the 15th February, 1983

S.O. 1471.—In exercise of the powers conferred by sub-section (1) of Section 5A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby appoints the Secretary, Ministry of Labour and Rehabilitation as Chairman of the Central Board of Trustees and makes the following further amendment in the Notification of the Government of India in the late Ministry of Labour No. S.O. 236 dated the 16th December, 1975, namely :—

In the said notification, for the entries against the Serial No. 1, the following entries shall be inserted, namely :—

"1. Secretary, Ministry of Labour and Rehabilitation, Government of India, New Delhi."

[No. V. 20012/3/82 PF.II]

का. आ. 1472 :—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 17 की उपधारा (4) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के भूतपूर्व श्रम, नियोजन और पुनर्वास मंत्रालय की अधिसूचना सं. का.आ. 3868 तारीख 20 अक्तूबर, 1967 द्वारा कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 की धारा 17 की उपधारा (1) के खंड (ख) के अधीन मैसर्स फेवर ल्यूबा एण्ड कम्पनी लिमिटेड, 211-219 डा. डी.एन. मार्ग फोर्ट, बम्बई-1 को दी गई छूट तुरन्त प्रभावी रूप में विखंडित करती है ।

[सं. एस. 35014/55/78-पी.एफ. II]

S.O. 1472.—In exercise of the powers conferred by clause (a) of sub-section (4) of section 17 of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby rescinds with immediate effect, the exemption granted to Messrs Favre Leuba and Company Limited, 211-219, Dr. D. N. Road Fort Bombay-1 under clause (b) of sub-section (1) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 by the notification of the Government of India in the former Ministry of Labour, Employment and Rehabilitation No. S.O. 3868 dated the 20th October, 1967.

[No. S. 35014/55/78-PF.II]

का. आ. 1473 :—केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (ग) के अनुसरण में श्री बी. के. भट्टाचार्य, केन्द्रीय भविष्य निधि आयुक्त, नई दिल्ली को श्री धर्मवीर के स्थान पर कर्मचारी राज्य बीमा निगम में सदस्य के रूप में नाम निर्दिष्ट किया है ।

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के भू. ए. श्रम मंत्रालय की अधिसूचना संख्या का.आ. 350(अ), दिनांक 21 अक्तूबर, 1950 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, "केन्द्रीय सरकार द्वारा धारा 4 के खण्ड (ग) के अधीन नामनिर्दिष्ट" शीर्षक के नीचे मद 3 के

सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

"श्री बी. के भट्टाचार्य,
केन्द्रीय भविष्य निधि आयुक्त,
मयूर भवन, कनाट सरकस,
नई दिल्ली ।"

[संख्या यू-16012/1/82 एच आई]

S.O. 1473.—Whereas the Central Government has, in pursuance of clause (c) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri B. K. Bhattacharya, Central Provident Fund Commissioner, New Delhi as a member of the Employees' State Insurance Corporation, in place of Shri Dharam Vir,

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour No. S.O. 850(E), dated the 21st October, 1980, namely :—

In the said notification, under the heading "(Nominated by the Central Government under clause (c) of section 4)" for the entry against Serial Number 3, the following entry shall be substituted, namely :—

"Shri B. K. Bhattacharya,
Central Provident Fund Commissioner,
Mayur Bhawan, Connaught Circus,
New Delhi."

[No. U. 16012/1/82-HI]

का. आ. 1474 .—केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (ख) के अनुसरण में श्री आर. के ए. सुब्रह्मण्या, अपर सचिव, भारत सरकार, श्रम एवं पुनर्वास मंत्रालय, श्रम विभाग को कुमारी कुमुदबेन एम. जोशी के स्थान पर कर्मचारी राज्य बीमा नियम के उपाध्यक्ष के रूप में नाम निर्दिष्ट किया है ;

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के भू. पू. श्रम मंत्रालय की अधिसूचना संख्या का.आ. 850(अ), दिनांक 21 अक्तूबर, 1980 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, "केन्द्रीय सरकार द्वारा धारा 4 के खण्ड (ख) के अधीन नामनिर्दिष्ट" शीर्षक के नीचे मद 2 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

"श्री आर. के. ए. सुब्रह्मण्या,
अपर सचिव, भारत सरकार,
श्रम एवं पुनर्वास मंत्रालय,
श्रम विभाग, नई दिल्ली ।"

[संख्या यू-16012/1/82-एच .आई.]

S.O. 1474.—Whereas the Central Government has, in pursuance of clause (b) of section 4 of the Employees' State Insurance Act, 1948 nominated Shri R. K. A. Subramanya, Additional Secretary to the Government of India, Ministry of Labour and Rehabilitation, Department of Labour, as the Vice-Chairman of the Employees' State Insurance Corporation, in place of Miss Kumudben M. Joshi;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour No. S.O. 850(E), dated the 21st October, 1980 namely.—

In the said notification, under the heading "(Nominated by the State Governments under clause (b) of section 4)", for the entry against Serial Number 2, the following entry shall be substituted, namely :—

"Shri R. K. A. Subramanya,
Additional Secretary to the Government of India,
Ministry of Labour and Rehabilitation,
Department of Labour,
New Delhi "

[No. U. 16012/1/82-HI]

का. आ. 1475 —केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (क) के अनुसरण में श्री आर. के. ए. सुब्रह्मण्या, अपर सचिव, भारत सरकार, श्रम एवं पुनर्वास मंत्रालय, श्रम विभाग को श्री धर्मवीर के स्थान पर कर्मचारी राज्य बीमा निगम की स्थायी समिति के सदस्य के रूप में नाम निर्दिष्ट किया है ;

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 8 के अनुसरण में भारत सरकार के भू.पू. श्रम मंत्रालय की अधिसूचना सं. का. आ. 966(अ), दिनांक 13 दिसम्बर, 1980 में निम्नलिखित संशोधन करती है, अर्थात् —

उक्त अधिसूचना में, "केन्द्रीय सरकार द्वारा धारा 8 के खण्ड (क) के अधीन नाम निर्दिष्ट" शीर्षक के नीचे मद 1 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

"श्री आर. के. ए. सुब्रह्मण्या,
अपर सचिव, भारत सरकार,
श्रम एवं पुनर्वास मंत्रालय,
श्रम विभाग, नई दिल्ली ।"

[संख्या यू-16012/1/82-एच .आई.]

S.O. 1475.—Whereas the Central Government has, in pursuance of clause (a) of section 8 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri R. K. A. Subramanya, Additional Secretary to the Government of India, Ministry of Labour and Rehabilitation, Department of Labour as the Chairman of the Standing Committee of the Employees' State Insurance Corporation, in place of Shri Dharma Vir;

Now, therefore, in pursuance of Section 8 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of Government of India in the late Ministry of Labour No. S.O. 966(F), dated the 13th December, 1980, namely :—

In the said notification under the heading "Nominated by the Central Government under clause (a) of section 8)", for the entry against item 1, the following entry shall be substituted, namely :—

"Shri R. K. A. Subramanya,
Additional Secretary to the Government of India
Ministry of Labour and Rehabilitation,
New Delhi."

[No. U. 16012/1/82-HI]

का. आ. 1476 :—केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (ग) के

अनुसरण में डा. एस. एस. रामास्वामी, महानिदेशक, कारखाना सलाह सेवा और श्रम विज्ञान केन्द्र, बम्बई को श्री आर. के. ए. सुब्रह्मण्या के स्थान पर कर्मचारी राज्य बीमा निगम का सदस्य के रूप में नाम निर्दिष्ट किया है ;

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के भू. पू. श्रम मंत्रालय की अधिसूचना संख्या का.आ. 850(अ), दिनांक 21 अक्तूबर, 1980 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, "केन्द्रीय सरकार द्वारा धारा 4 के खण्ड (ग) के अधीन नाम निर्दिष्ट" शीर्षक के नीचे मद 4 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

"डा. एस. एस. रामास्वामी,
महानिदेशक, कारखाना सलाह सेवा और
श्रम-विज्ञान केन्द्र, सिओन,
बम्बई-52."

[संख्या यू-16012/1/82-एच. आई.]

S.O. 1476.—Whereas the Central Government has in pursuance of clause (c) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Dr. S. S. Ramaswami, Director General, Factory Advice Service and Labour Institute, Bombay as member of the Employees' State Insurance Corporation, in place of Shri R. K. A. subramanya :

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour No. S.O. 850(E), dated the 21st October, 1980, namely :—

In the said notification, under the heading "(Nominated by the Central Government under clause (c) of section 4)", for the entry against Serial Number 4, the following entry shall be substituted, namely :—

"Dr. S. S. Ramaswami,
Director General,
Factory Advice Service and Labour Institute, Sion,
Bombay."

[No. U. 16012/1/82-HI]

का. आ. 1477.—केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (क) के अनुसरण में श्री बी. जी. देशमुख, सचिव, भारत सरकार, श्रम एवं पुनर्वास मंत्रालय को श्री वीरेन्द्र पाटिल के स्थान पर कर्मचारी राज्य बीमा निगम के अध्यक्ष के रूप में नाम निर्दिष्ट किया है ;

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के भू. पू. श्रम मंत्रालय की अधिसूचना संख्या का.आ. 850(अ), दिनांक 21 अक्तूबर, 1980 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, "केन्द्रीय सरकार द्वारा धारा 4 के खण्ड (ख) के अधीन नाम निर्दिष्ट" शीर्षक के नीचे मद 1 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

"श्री बी. जी. देशमुख,
सचिव, भारत सरकार,
श्रम एवं पुनर्वास मंत्रालय,
नई दिल्ली ।"

[संख्या यू-16012/1/82-एच. आई.]

S.O. 1477.—Whereas the Central Government has in pursuance of clause (a) of Section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), nominated Shri B. G. Deshmukh, Secretary to the Government of India, Ministry of Labour and Rehabilitation as the Chairman of the Employees' State Insurance Corporation, in place of Shri Veerendra Patil;

Now, therefore, in pursuance of Section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour No. S.O. 850(E) dated the 21st October, 1980, namely :—

In the said notification, under the heading "(Nominated by the Central Government under clause (a) of section 4", for the entry against item I, the following entry shall be substituted, namely :—

"Shri B. G. Deshmukh,
Secretary to the Government of India,
Ministry of Labour and Rehabilitation,
New Delhi."

[No. U. 16012/1/82-HI]

का. आ. 1478.—केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 8 के खण्ड (ख) के अनुसरण में श्री पी. सिन्हा, उप सचिव, भारत सरकार, श्रम और पुनर्वास मंत्रालय (श्रम विभाग) को श्री आर. के. ए. सुब्रह्मण्या के स्थान पर कर्मचारी राज्य बीमा निगम की स्थायी समिति के सदस्य के रूप में नाम निर्दिष्ट किया है ;

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 8 के अनुसरण में, भारत सरकार के भू. पू. श्रम मंत्रालय की अधिसूचना संख्या का.आ. 960(अ), दिनांक 13 दिसम्बर, 1980 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, "केन्द्रीय सरकार द्वारा धारा 8 के खण्ड (ख) के अधीन नाम निर्दिष्ट" शीर्षक के नीचे मद 2 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

"श्री पी. सिन्हा,
उप सचिव, भारत सरकार,
श्रम और पुनर्वास मंत्रालय,
श्रम विभाग, नई दिल्ली ।"

[संख्या यू-16012/1/82-एच. आई.]

S.O. 1478.—Whereas the Central Government has, in pursuance of clause (b) of section 8 of the Employees' State Insurance Act, 1948 (34 of 1948), nominated Shri P. Sinha, Deputy Secretary to the Government of India, Ministry of Labour and Rehabilitation (Department of Labour), New Delhi as a member of the Standing Committee of the Employees' Statae Insurance Corporation, in place of Shri R. K. A. Subramanya;

Now, therefore in pursuance of section 8 of the Employees' tate Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of

Labour No. S.O. 966(E), dated the 13th December. 1980 namely :—

In the said notification, under the heading "[Nominated by the Central Government under clause (b) of section 8]", for the entry against Serial Number 2, the following entry shall be substituted, namely :—

"Shri P. Sinha,
Deputy Secretary to the
Government of India,
Ministry of Labour and Rehabilitation,
Department of Labour, New Delhi."

[No. U-16012/1/81-III]

नई दिल्ली, 17 फरवरी, 1983

का० आ० 1479.—मैसर्स यूनाईटेड इंडिया इन्शोरेंस कम्पनी लिमिटेड, मद्रास, जिसमें इसकी विभिन्न क्षेत्रों में स्थित प्रादेशिक, प्रभागीय और शाखा कार्यालय जो कि एक ही कोड सं० टी०एन० 10107 के अंतर्गत आते हैं, (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (4) के अधीन छूट दिए जाने के लिए आवेदन किया है,

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक अभिदाय या प्रीमियम का सन्दाय किए बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुज्ञेय है,

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है ।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य निधि आयुक्त मद्रास को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करे ।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर सन्दाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करें ।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्दाय, लेखाओं का अन्तरण, निरीक्षण प्रभारों का सन्दाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा ।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा ।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संदत्त करेगा ।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाए जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा, जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त बीमा स्कीम के अधीन अनुज्ञेय हैं ।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेय रकम उस रकम से कम है, जो कर्मचारी को उस दशा में संदेय होती, जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशिती को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा ।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त मद्रास के पूर्व अनुमोदन के बिना नहीं किया जायेगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा ।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते है, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है ।

10. यदि किसी कारणवश, नियोजक उस नियत तारीख के भीतर जो भारतीय जीवन बीमा निगम नियत करें, प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को व्यपगत हो जाने दिया जाता है तो, छूट रद्द की जा सकती है ।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यतिक्रम की दशा में उन मृत सदस्यों के नामनिर्देशितियों या विधिक वारिसों को जो यदि यह, छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा ।

12. उक्त स्थापन के संबंध में नियोजक, इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हकदार नाम निर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के सात दिन के भीतर सुनिश्चित करेगा ।

[संख्या एस-35014/268/82-पी०एफ०-2]

New Delhi, the 17th February, 1983

S.O. 1479.—Whereas Messrs United India Insurance Company Limited, Madras including its Regional and divisional branch offices located in different regions which are centrally covered under Code No. TN/10107 (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act (19 of 1952) (hereinafter referred to as the said Act);

And whereas the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit-Linked Insurance Scheme. 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Tamil Nadu, maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. 2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Tamil Nadu and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner the exemption shall be liable to be cancelled.

10. Where for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the member covered under the Scheme the employer in relation to the said establishment shall ensure prompt payment of the sum assured to the nominee/legal heirs entitled for it and in any case within 7 days of the receipt of the sum assured from the Life Insurance Corporation of India.

[No. S. 35014(268)/82-PF.II]

का० आ० 1480.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 17 की उपधारा (4) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के भूतपूर्व श्रम और रोजगार मंत्रालय की अधिसूचना सं० का०आ० 1195 तारीख 19 मई, 1961 द्वारा कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 की धारा 17 की उपधारा (1) के खंड (क) के अधीन मैसर्स लक्ष्मी शूगर एंड ऑयल मिल्स कम्पनी लिमिटेड, हरदोई, उत्तर प्रदेश को दी गई छूट को तुरंत विखंडित करती है ।

[सं० म० 35023(1)/82-पी०एफ० 1]

S.O. 1480.—In exercise of the powers conferred by clause (a) of sub-section (4) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby rescinds with immediate effect, the exemption granted to Messrs Laxmi Sugar and Oil Mills Company Limited, Hardoi, Uttar Pradesh under clause (a) of sub-section (1) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 by the Notification of the Government of India in the former Ministry of Labour and Employment No. S.O. 1195, dated the 19th May, 1961.

[No. S-35023(1)/82-PF. I]

नई दिल्ली, 22 फरवरी, 1983

का. आ. 1481.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स दी सैलवेशन आर्मी रेड शिल्ड गेस्ट हाउस, 2 सडर स्ट्रीट, कलकत्ता-16 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/191/82-पी.एफ. 2]

New Delhi, the 22nd February, 1983

S.O. 1481.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Salvation Army Red Shield Guest House, 2, Sudder Street, Calcutta-16, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(191)/82-PF.II]

का. आ. 1482.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ब्रमंत कार्पोरेशन, 7/1 और 2, गिडलटन रो, कलकत्ता-16 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/213/82-पी.एफ. 2]

S.O. 1482.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Basant Corporation, 9/1 & 2, Middleton Row, Calcutta-16, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(213)/82-PF.II]

का.आ. 1483.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एम. ए. एन. (इंडिया) इंजीनियरिंग लिमिटेड, 8, कोमेक स्ट्रीट, शांति निकेतन नवीं मंजिल, कलकत्ता-700017, जिसमें उसका सेंचुरी बाजार, प्रभादेवी, मुम्बई-25 के समीप "इंडस्ट्री मनोर" स्थित रजिस्ट्रीकृत कार्यालय सम्मिलित हैं, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/214/82-पी.एफ. 2]

S.O. 1483.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs M.A.N. (India) Engineering Limited, 8, Camac Street, "Shanti Niketan", 9th Floor, Calcutta-700017 including its Registered office at "Industry Nanor" near Century Bazar, Prabhadevi, Bombay-25, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(214)/82-PF.II]

का.आ. 1484.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स साउलका आटो इंडस्ट्रीज (प्राइवेट) लिमिटेड, 95/1/3ए, कोसीपर रोड, कलकत्ता-2, जिसमें उसका 23ए, नेताजी सुभाष रोड, कलकत्ता-1 स्थित रजिस्ट्रीकृत कार्यालय सम्मिलित हैं, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/215/82-पी.एफ. 2]

S.O. 1484.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sawlka Auto Industries Private Limited, 95/1/3A, Cossipore Road, Calcutta-2 including its Registered Office at 23A, Netaji Subhas Road, Calcutta-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(215)/82-PF.II]

का.आ. 1485.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री वीर वेंकट सत्यनारायण बस सर्विस, टेक्काली, श्रीकाकुलम जिला (आंध्र प्रदेश) नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35019/257/82-पी.एफ. 2]

S.O. 1485.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sree Veera Venkatasatyanarayana Bus Service, Tekkali, Srikakulam District, Andhra Pradesh, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(257)/82-PF.II]

का.आ. 1486.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रहमत राइस एण्ड आयल मिल, लैसीज, मैसर्स श्री गणेश चिल्लीज ट्रेडिंग कम्पनी, पोंडूरू, श्रीकाकुलम जिला (आंध्र प्रदेश) नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35019/258/82-पी.एफ. 2]

S.O. 1486.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Rehamat Rice and Oil Mill, Lessees, M/s. Sri Ganesh Chillies Trading Company, Ponduru, Srikakulam District (Andhra Pradesh), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(258)/82-PF.II]

का.आ. 1487.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स भगवान डाईंग एण्ड प्रिंटिंग वर्क्स, 1-9-1100, विद्यानगर,

हैदराबाद नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35019/259/82-पी.एफ. 2]

S.O. 1487.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Bhagwan Dyeing and Printing Works, 1-9-1100, Vidya Nagar, Hyderabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(259)/82-PF.II]

का.आ. 1488.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री लक्ष्मी टिम्बर कार्पोरेशन, डाकघर बेलूर-हसन-573115, जिला हसन (कर्नाटक) नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35019/262/82-पी.एफ. 2]

S.O. 1488.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Shree Laxmi Timber Corporation, Post Office Belur-Hassan-573115, District Hasan (Karnataka), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(262)/82-PF.II]

का.आ. 1489.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सरस्वती सा मिल, डाकघर रायगढ़, कोरापुट, उड़ीसा, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35019/286/82-पी.एफ. 2]

S.O. 1489.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Saraswati Saw Mill, Post Office Rayagada, Koraput, Orissa, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(286)/82-PF.II]

का.आ. 1490.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मोंसी के. पारमल, फ्लैट नं. 6, शापिंग सेंटर, सेक्टर-18 राऊरकेला-3, उड़ीसा, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35019/291/82-पी.एफ. 2]

S.O. 1490.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Moncy K. Paramel, Flat No. 6, Shopping Centre, Sector-18, Rourkela-3, Orissa, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(291)/82-PF. II]

का.आ. 1491.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स उत्कल बिचित्र, इस्पात मार्केट, राउरकेला-5, जिला सुन्दरगढ़, उड़ीसा, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35019/293/82-पी.एफ. 2]

S.O. 1491.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Utkal Bichitra, Ispat Market, Rourkela-5, District Sundergarh, Orissa, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(293)/82-PF. II]

का.आ. 1492.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स धीरज एंड कम्पनी, प्लाट नं. 10, फ्रेंडस कालोनी, जी.टी. रोड, शाहदरा, दिल्ली जिसमें उसका 18/12 की, मलकागंज, दिल्ली-7 स्थित प्रधान कार्यालय सम्मिलित है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35019/294/82-पी.एफ. 2]

S.O. 1492.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Deeraj and Company, Plot No. 10, Friends Colony, G.T. Road, Shahdara, Delhi including its Head Office at 10/12-D, Malka Ganj, Delhi-7, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(294)/82-PF.II]

का.आ. 1493.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पी. के. जैकब एण्ड कम्पनी, बेसिन रोड, एर्नाकुलम, कोचीन-11, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35019/326/82-पी.एफ. 2]

S.O. 1493.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs P. K. Jacob and Company, Basin Road, Ernakulam, Cochin-11, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(326)/82-PF.II]

का.आ. 1494.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स दी महालक्ष्मी टैक्सटाइल मिल्स एम्पलाइज कोआपरेटिव क्रेडिट सोसाइटी लिमिटेड, ए-2398, पशुमल्लई, मदुरै-4, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35019/327/82-पी.एफ. 2]

S.O. 1494.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Mahalakshmi Textile Mills Employees' Co-operative Credit Society Limited, A-2398, Pasumalai, Madurai-4, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(327)/82-PF.II]

का० आ० 1495.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स प्रिसिजन इंजीनियरिंग वर्क्स, 3-1-336, इसामिया बाजार, हैदराबाद नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों का बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं० एस-35019/326/82-पी० एफ० 2]

S.O. 1495.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Precision Engineering Works, 3-1-336, Esamia Bazar, Hyderabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(328)/82-PF.II]

का० आ० 1496.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स आंध्र प्रदेश स्टेट फेडरेशन आफ कोआपरेटिव स्पिनिंग मिल्स लिमिटेड, तिलक रोड, हैदराबाद नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं० एस-35019/329/82-पी० एफ० 2]

S.O. 1496.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Andhra Pradesh State Federation of Co-operative Spinning Mills Limited, Tilak Road, Hyderabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(329)/82-PF.II]

का० आ० 1497.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मद्रास मोटर फाइनेन्स एंड गारंटी कंपनी लिमिटेड, 5, साउथ माडा स्ट्रीट, माइलापुर, मद्रास-4 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं० एस-35019/367/82-पी० एफ० 2]

S.O. 1497.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Madras Motor Finance and Guarantee Company Limited, 5, South Mada Street, Mylapore, Madras-4, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(367)/82-PF.II]

का० आ० 1498.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स येरा मल्लिकार्जुन राव एंड थ्री अदर्स, पोंडुरु –श्रीकाकुलम जिला, दक्षिण पूर्व रेलवे-532168, आंध्र प्रदेश नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं० एस- 35019/368/82- पी० एफ० 2]

S.O. 1498.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Yarra Mallikharjana Rao and three others, Ponduru-Srikakulam District S.E. Railway-532168, Andhra Pradesh, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(368)/82-PF.II]

का० आ० 1499.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पी० टी० बेल एंड कम्पनी, 15, सुंकुरमा चेट्टी स्ट्रीट, मद्रास -1 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं० एस- 35019/375/82- पी० एफ० 2]

S.O. 1499.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs P.T. Bell and Company, 15, Sunkurama Chetty Street, Madras-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(375)/82-PF.II]

का० आ० 1500.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स हैदराबाद बार्ब वायर इंडस्ट्रीज, ए-6, कोआपरेटिव इंडस्ट्रियल एस्टेट, बालानगर, हैदराबाद-27 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं० एस-35019/387/82- पी० एफ० 2]

S.O. 1500.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Hyderabad Barb-wire Industries, A-6, Co-operative Industrial Estate, Balangar, Hyderabad-27, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(387)/82-PF.II]

का० आ० 1501.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कार्नवालिस प्रेस, 145, अंगप्पा नैकेन स्ट्रीट, मद्रास-1 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं० एस- 35019/393/82-पी० एफ० 2]

ए० के० भट्टराई, अवर सचिव

S.O. 1501.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Cornwallis Press, 145, Augappa Naicken Street, Madras-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(393)/82-PF.II]

A. K. BHATTARAI, Under Secy.

नई दिल्ली, 14 फरवरी, 1983

का०आ० 1502.—10, 16 और 24 जनवरी, 1983 को दिल्ली संघ राज्य क्षेत्र की भाटी बजरी खान में 3 दुर्घटनाएं हुई थीं, जिनमें कई व्यक्तियों की मृत्यु हुई थी,

और केन्द्रीय सरकार की राय है कि इन दुर्घटनाओं के कारणों और परिस्थितियों की औपचारिक जांच की जाए,

अतः, केन्द्रीय सरकार, खान अधिनियम, 1952 (1952 का 35) की धारा 24 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते

हुए ऐसी जांच करने के लिए दिल्ली उच्च न्यायालय के सेवा निवृत्त मुख्य न्यायाधीश न्यायमूर्ति वी०एस० देशपाण्डे को नियुक्त करती है और इस जांच के लिए असेसरों के रूप में निम्नलिखित व्यक्तियों को भी नियुक्त करती है :—

(1) श्री एस०एल० पासी, राष्ट्रीय मजदूर कांग्रेस, 16 गुरुद्वारा रकाब गंज रोड, नई दिल्ली-1

(2) श्री एस० शंकरन, 28, लोगानाथन कलोनी, माईलापुर, मद्रास ।

2. उक्त जांच के निदेश पद निम्नलिखित होंगे :—

(क) 10, 16 और 24 जनवरी, 1983 को भाटी बजरी खान में हुई दुर्घटनाओं के कारणों की जांच करना, जिनमें कई व्यक्तियों की मृत्यु हो गई ।

(ख) उन विद्यमान दशाओं की जांच करना जिनमें उक्त खानों में खनन संक्रियाएं की जाती हैं ।

(ग) ऐसे परिवर्तनों और सुधार उपायों के सुझाव देना, जो कार्यकारी दशाओं में सुधार करने के लिए और उक्त खानों में भविष्य में बराबर होने वाली दुर्घटनाओं का निवारण करने के लिए आवश्यक हो ।

[एन-11012/1/83-एम०1]

New Delhi the 14th February, 1983

S.O. 1502.—Whereas three accidents occurred in the Bhati Bajri Mines in the Union territory of Delhi on the 10th, 16th and 24th January, 1983, causing loss of lives;

And whereas the Central Government is of the opinion that a formal inquiry into the causes of and circumstances attending these accidents ought to be held;

And now, therefore, in exercise of the powers conferred by sub-section (1) of section 24 of the Mines Act, 1952 (35 of 1952), the Central Government hereby appoints Justice V. S. Deshpande, retired Chief Justice of the High Court of Delhi to hold such inquiry and also appoints—

(i) Shri S. L. Passey,
Indian National Trade Union Congress,
16, Gurdwara Rakabganj Road,
New Delhi-110001.

(ii) Shri S. Sankaran,
28, Loganathan Colony,
Mylapore, Madras-4.

as assessors in holding the said inquiry.

2. The terms of reference of the said inquiry shall be :—

(a) to go into the causes of accidents in Bhati Bajri Mines on 10th, 16th and 24th January, 1983 causing loss of lives;

(b) to go into the existing conditions in which mining operations are carried out in the said Mines ;

(c) to suggest such changes and corrective measures as may be necessary to improve the working conditions and to prevent recurring accidents in future in the said Mines.

[N-11012/1/83-MI]

नई दिल्ली, 16 फरवरी, 1983

का०आ० 1503—केन्द्रीय सरकार, खान अधिनियम, 1952 (1952 का 35) की धारा 27 के अनुसरण में, उड़ीसा राज्य के जिला ढेंकानाल में स्थित जगन्नाथ कोयला-खान में 24 जून, 1981 को हुई दुर्घटना के कारणों और परिस्थितियों की जांच करने के लिए नियुक्त जांच न्यायालय द्वारा उक्त अधिनियम की धारा 24 की उपधारा (4) के अधीन प्रस्तुत की गई निम्नलिखित रिपोर्ट प्रकाशित करती है ।

उड़ीसा राज्य के जिला ढेंकानाल में स्थित जगन्नाथ कोयला खान में 24 जून, 1981 को हुई दुर्घटना के बारे में जांच न्यायालय की रिपोर्ट ।

उड़ीसा राज्य के जिला ढेंकानाल में स्थित

जगन्नाथ कोयला—खान में

24 जून, 1981 को हुई

दुर्घटना के कारण और परिस्थितियों के बारे में

जांच—न्यायालय की रिपोर्ट

विवरण

संख्या

1. इस फोटो में खदान के दक्षिणी भाग के साथ-साथ जाती हुई सतही दरारें दिखाई पड़ती हैं । दरार की पृष्ठभूमि में दूर तक बनते हुए देखा जा सकता है ।

2. इसमें खदान के दक्षिणी भाग के शीर्ष पर दरार की लाइन में जल गर्तिका देखी जा सकती है ।

3. इसमें खदान तल पर राख और फेंके हुए अन्य टुकड़े हैं । यह दृश्य दक्षिण-पश्चिम की ओर मुख किए कर्षण लाइन के पास से लिया गया है । फोटोग्राफ की समस्त चौड़ाई को कर्षण लाइन कोयला ढेर ने घेर लिया है। पृष्ठभूमि में स्खलन के पश्चिम का दक्षिणी भाग दिखाई पड़ता है । फोटो के बाएं भाग में वह क्षेत्र दिखाई पड़ता है जो कि सापेक्षता बिखरे हुए टुकड़ों का क्षेत्र मात्र है । इस खाली मार्ग के अगले और पिछले क्षेत्रों में बहुत से टुकड़े बिखरे हुए हैं ।

4. इसमें खदान तल पर राख और बिखरे हुए जले टुकड़े दिखाई पड़ते हैं । पृष्ठभूमि में खदान का उत्तरी भाग और कर्षण लाइन हैं । दाएं अग्रभाग में कर्षण लाइन कोयला का ढेर है । इस फोटो में भी सापेक्षता कोयला ढेर के उत्तर की ओर खाली खंड दिखाई पड़ता है ।

5. यह फोटो खदान तल के उत्तरी-पूर्वी कोने से लिया गया था । कर्षण लाइन के शीर्ष पर कर्षण लाइन कोयला ढेर दिखाई पड़ता है । स्खलन सामग्री कर्षण लाइन बल्ली के शीर्ष से आगे भाग में नीचे की ओर दिखाई देती है । स्खलन के पश्चिम के दक्षिणी भाग में पट्टियों की स्थिति पृष्ठभूमि में देखी जा सकती है । अग्रभाग के बाईं ओर कर्षण लाइन गर्त पानी से भरा दिखाई देता है ।

6. यह फोटो संख्या 5 के समान है। इससे स्खलन के पूर्व में दक्षिणी भाग की दिशा की स्थिति के बारे में जानकारी मिलती है। कर्षण लाइन बल्ली के मध्य बिन्दु के पीछे कर्षण लाइन कोयला ढेर का अग्रभाग है। इसके दक्षिण में कोयला ढेर के साथ टिकी हुई स्खलन सामग्री देखी जा सकती है।

7. यह फोटो सतह के दक्षिणी भाग से लिया गया है। बाईं ओर की तरफ सेक में पंप लगा हुआ है। इसमें पूर्व और उत्तर की ओर राख भी बिखरी हुई दिखाई पड़ती है। पृष्ठभूमि के शीर्ष में खुलाई भाग और प्राकृतिक कारकों द्वारा बने कोटरों की रेखा दिखाई पड़ती है।

8. इसमें उत्तरी भाग का निम्न हिस्सा और स्विच कक्ष सेक है। इसमें पश्चिम की ओर राख का बिखराव और कामगारों के पद-चिह्न भी दिखाई देते हैं।

9. इस फोटो में स्खलन दिखाई पड़ता है। अग्रभाग के बाएं कोने में कर्षण लाइन कोयला ढेर है। इसके पीछे स्खलन सामग्री है। स्खलन के बाईं ओर भाग लगी कोयला पट्टियां दिखा पड़ती हैं।

10. इसमें छिली हुई खाल दिखाई देती है।

11. इसमें कटे-फटे जूते दिखाई देते हैं।

12. इसमे अधजले कपड़े दिखाई देते है।

प्रयुक्त संक्षिप्त रूप

1.	के० को० लि० (सी०सी०एल०)	केन्द्रीय कोयला क्षेत्र लि०।
2.	भा०को०अ० संघ (सी०एम०ओ०ए०आई०)	भारतीय कोयला खान अधिकारी संघ।
3.	के०को०लि०म०सं० (सी०सी०एल०डब्ल्यू०ए०)	केन्द्रीय कोयला क्षेत्र लि० मजदूर संघ।
4.	के०ख०अ०के० (सी०एम०आर०एस०)	केन्द्रीय खनन अनुसंधान केन्द्र।
5.	के०ई०अ०सं० (सी०एफ०आर०आई०)	केन्द्रीय ईंधन अनुसंधान संस्थान।
6.	को० खा० वि० (सी०एम०आर०)	कोयला खान विनियम 1957।
7	खा० सु०म० (डी०जी०एम०एस०)	खान सुरक्षा महानिदेशालय।
8.	खा० सु० म० नि० रि० (डी०जी०एम०एस० रिपोर्ट)	खान सुरक्षा महानिदेशक भुवनेश्वर द्वारा की गई जांच की रिपोर्ट।
9.	डे०को०श्र०सं० (डी०सी०एल०यू०)	डेरा कोयला खान श्रमिक संघ।
10.	डे०को०क०सं० (डी०सी०ई०यू०)	डेलबेरा कोयला खान कर्मचारी संघ।
11	औ०स०त० (एम०एस०एल०)	औसत समुद्र तल।
12.	उ०को०श्र०सं० (ओ०सी०एल०यू०)	उड़ीसा कोयला क्षेत्र श्रमिक संघ।
13.	उ०को०म०सं० (ओ०सी०एम०सी०यू०)	उड़ीसा कोयला खान मजदूर कांग्रेस संघ।
14	ता०को०म०सं० (टी०सी०एम०एस०)	तालचेर कोयला खान मजदूर संघ।

भाग—1

1 प्रारंभिक विवरण :

1.1. 24 जून, 1981 को दोपहर में लगभग एक बजे जगन्नाथ कोयला खान, तालचेर कोयला क्षेत्र में एक दुर्घटना हो गई थी। यह कोयला क्षेत्र उड़ीसा के ढेंकानाल जिले में स्थित है। खदान के दक्षिणी भाग से अधिक मात्रा में गर्म राख और धूल निकलकर विस्तृत क्षेत्र में फैल गई। उस भाग से लगभग 60 मीटर दूर सात कामगार राख के बादल में घिर गए। वे उसमें जल गए। उनमें से तीन इस घटना के दस दिन के भीतर ही मर गए और बचे हुए चार कामगारों को गंभीर शारीरिक चोटें लगी।

1.2 श्रम मंत्रालय में भारत सरकार ने, राय कायम करके कि इस दुर्घटना के लिए जिम्मेदार कारणों एवं परिस्थितियों की औपचारिक जांच की जाए। तारीख 1-9-1981 की अधिसूचना संख्या एस० 11012/10/81/एम आई द्वारा मुझे खान अधिनियम, 1952 की धारा 24, उप धारा (1) के अंतर्गत इस प्रकार की जांच करने के लिए नियुक्त किया। इसी अधिसूचना द्वारा जिन व्यक्तियों को जांच करने में निर्धारक के रूप में नियुक्त किया गया, वे इस प्रकार है :—

1. श्री दामोदर पाण्डेय,
   संयुक्त महासचिव,
   राष्ट्रीय कोयला खान मजदूर संघ,
   रामगढ़ छावनी।

2. श्री एच० बी० घोष,
   सेवामुक्त अध्यक्ष और प्रबंध निदेशक,
   केन्द्रीय खान योजना और डिजाइन संस्थान,
   13/जी/2 शंखारीपारा रोड, कलकत्ता।

1.3 1-10-81 को मैंने एक सार्वजनिक अधिसूचना जारी की कि मैं 12-11-81 को तालचेर में बैठूंगा और इस मामले में रुचि लेने वाले किसी भी पक्षकार की याचिका स्वीकार करूंगा।

1.4. मैंने 12-11-1981 को तालचेर में सबेरे 10 बजे सार्वजनिक रूप से सुनवाई प्रारंभ की। मैंने उपस्थित सभी पक्षकारों, निर्धारकों तथा महानिदेशक, खान सुरक्षा के परामर्श से निश्चय किया कि पक्षकार वकीलों के जरिये मामला प्रस्तुत करने के बजाय खुद अपने मामले प्रस्तुत करें। न्यायालय की पहली बैठक में केवल उड़ीसा कोयला क्षेत्र श्रमिक संघ ने जिसका इसके बाद उ०को०श्र०सं० (ओ०सी०एल०यू०) के रूप में उल्लेख किया जाएगा) न्यायालय की कार्यवाही में भाग लेने की अपनी इच्छा व्यक्त की और अपना लिखित बयान प्रस्तुत किया। अन्य पक्षकारों ने भाग लेने की अपनी इच्छा को प्रकट करते हुए अनुरोध किया कि उन्हें लिखित बयान प्रस्तुत करने के लिए और समय दिया जाय। उन्हें अपना लिखित बयान 14-12-1981 तक प्रस्तुत करने का निदेश दिया गया ताकि सभी लिखित बयान सभी संबंधित पक्षकारों के बीच परिचालित किए जा सकें और लिखित बयानों के प्रत्युत्तर 31-12-1981 तक प्राप्त किए जा सकें।

1.5 इसी बैठक में महानिदेशक खान सुरक्षा ने (जिसका इसके बाद म०खा०सु०) (डी०जी०एम०एस०) के रूप में उल्लेख किया जाएगा।)

अपनी जांच रिपोर्ट (जिसे इसके आगे म०खा०सु० रिपोर्ट कहा जाएगा) प्रस्तुत की। उसी दिन पक्षकारों में इस रिपोर्ट की प्रतियां वितरित की गई।

1.6. मैंने राजस्व बोर्ड, कटक के कार्यालय में न्यायालय की आगामी बैठकें करने का निश्चय किया।

2. खान का निरीक्षण :

उसी दिन दोपहर बाद मैंने निर्धारिकों के साथ जगन्नाथ कोयला खान के मार्गदर्शी (पायलट) गर्त्त का निरीक्षण किया । प्रबंधक वर्ग और म०खा०सु० (डी०जी०एम०एम०) ने वहीं पर हमें दुर्घटना की पूर्ण जानकारी दी । खदान में कोई कार्य नहीं किया जा रहा था और खदान तल में जल-संचयन अधिक मात्रा में था ।

3 अधिक पक्षकारों की उपस्थिति :

3.1. 14-12-1981 को आगे दिए गए पक्षकारों ने लिखित बयान प्रस्तुत किए । इसके साथ भाग लेने वाले पक्षकारों की संख्या आठ हो गई :

(1) केन्द्रीय कोयला क्षेत्र मजदूर संघ (के०को०का०सं०) (सी०सी०एल०डब्ल्यू०ए०)

(2) डेरा कोयला खान श्रमिक संघ (डे०को० श्र०सं०) (डी०सी०एल०यू०)

(3) डेलबेरा कोयला खान कर्मचारी संघ (डे०को०क०सं०) (डी०सी०ई०यू०)

(4) उड़ीसा कोयला खान मजदूर कांग्रेस संघ (उ०को० म०का०सं०) (ओ०सी०एम०सी०यू०)

(5) तालचेर कोयला खान मजदूर संघ (ता०को०म०सं०) (टी०सी० एम०एस०) जो आई०एन०टी०यू०सी० से संबद्ध है

(6) केन्द्रीय कोयला क्षेत्र लिमिटेड (के० को० लि०) (सी० सी० एल०)

(7) भारतीय कोयला खान अधिकारी संघ (भा० को० अ० स० (सी० एम० ओ० ए० आई०)

23. 7-1-1982 को के० को० लि० (सी० सी० एल.) ने तीन प्रत्युत्तर दाखिल किए और साथ ही उन गवाहों की एक सूची प्रस्तुत की जिनका न्यायालय द्वारा परीक्षण किए जाने का प्रस्ताव था ।

3.3 डे० को० श्र० सं० (डी० सी० एल० यू०) को 7-1-1982 को लिखित बयानों की प्रतियां दी गई थीं और उन्हें 8-1-1982 तक यदि कोई प्रत्युत्तर हों तो दाखिल करने का निदेश दिया गया था । इसी प्रकार के० को० लि० म० सं० और ता० को० सं० (टी० सी० एम० एस०) को 8-1-1982 तक प्रत्युत्तर दाखिल करने का निर्देश दिया गया था । सभी संघों को यह निर्देश दिया गया था कि वे 8-1-1982 तक गवाहों की सूची और विषयों के मसौदे प्रस्तुत कर दें ।

3.4 8-1-1982 को के० को० लि० म० सं० (सी० सी० एस० डब्ल्यू० ए०) डे० को० श्र० सं० (डी० सी० एल० यू०), डे० को० का० सं० (डी० सी० ई० यू०), भा० को० म० सं० (टी० सी० एम० एस०), उ० को० श्र० सं० (ओ० सी० एल० यू०) ने प्रत्युत्तर दाखिल किए थे । के० को० लि० (सी० सी० एल०) ने एक सूची तीन अतिरिक्त गवाहों की प्रस्तुत की जो कि दुर्घटना के चश्मदीद गवाह थे और जिन्हें न्यायालय में बुलाने के लिए सम्मन जारी किए जाने थे । भा० को० म० सं० (टी० सी० एम० एस०) ने यह सुझाव दिया कि श्री पी० सी० दास, विस्फोट फोरमैन को पहले से दाखिल किए गए चश्मदीद गवाहों के अतिरिक्त गवाह के रूप में बुलाया जाए । अनुबंध-I में दिए गए गवाहों में पक्षकारों द्वारा सुझाए गए समस्त नामों तथा न्यायालय के गवाहों के नाम दिए गए हैं ।

3.5 उ० को० श्र० सं० (ओ० सी० एल. यू०) ने 12 गवाहों की सूची प्रस्तुत की जिनका बयान लेना था । पूछताछ करने पर इस संघ के अध्यक्ष श्री पी० सी० साहू ने बताया कि उनमें से किसी को इस विशेष दुर्घटना की सीधी जानकारी नहीं है और यह कि वे अन्य दुर्घटनाओं तथा प्रबंधकवर्ग द्वारा अपनाए गए सामान्य सुरक्षा उपायों की ही गवाही दे सकते हैं । चूंकि ये सब इस न्यायालय के अधिकार क्षेत्र में नहीं आते थे, इसलिए मैंने यह निर्णय किया कि इनमें किसी को भी गवाही देने के लिए न बुलाया जाए ।

4 तैयार किए गए वाद-विषय

4.1 8-1-1982 की न्यायालय की बैठक में निम्नलिखित वाद-विषय अंतिम रूप से तैयार किए गए थे :

(i) कौन से ऐसे कारण हैं जिनसे यह दुर्घटना हुई ?

(ii) क्या प्रबंधक वर्ग द्वारा उन सब सुरक्षा उपायों के लिए कदम उठाए गए थे जो कि अधिनियम, नियम या आदेशों के अंतर्गत जारी किए गए थे ? क्या ये उपाय पर्याप्त थे ?

(iii) भविष्य में इस प्रकार की दुर्घटना कैसे रोकी जा सकती है ?

4.2 महानिदेशक, खान सुरक्षा रिपोर्ट जो कि पहले ही पक्षकारों में परिचालित की जा चुकी है और जिस पर बहुत से पक्षकारों ने अपनी टिप्पणी लिखित बयानों में दी है, उसे न्यायालय प्रदर्श सं० 1 के रूप में स्वीकार कर लिया गया है । प्रबंधक वर्ग द्वारा दाखिल किया गया लिखित बयान, एकक और फोटोग्राफ सहित ,अनुबंध और उनके द्वारा दाखिल किए गए तीन प्रत्युत्तरों को प्रदर्श एम 1 से एम 35 के रूप में लिया गया था । अन्य पक्षकारों को इस पर कोई आपत्ति नहीं थी ।

5. केन्द्रीय खनन अनुसंधान केन्द्र (के० ख० अ० के०/सी० एम० आर० एस०) और केन्द्रीय ईंधन अनुसंधान संस्थान (के० ई० अ० सं०/सी० एफ० आर० आई०) :

5.1 निर्धारिक श्री एच० बी० घोष ने ख० सु० म० नि० रि० (डी० जी० एम० एस० रिपोर्ट) की जांच के पश्चात बताया कि स्पष्टतया कुछ अतिरिक्त घटित हुआ है और यह विचार व्यक्त किया कि इसकी जांच भली प्रकार से विशेषज्ञों द्वारा करायी जानी आवश्यक जान पड़ती है । इसलिए मैंने केन्द्रीय खनन अनुसंधान केन्द्र धनबाद और केन्द्रीय ईंधन अनुसंधान संस्थान, दिगवाड़ी से अनुरोध किया कि वे अपने विशेषज्ञों को जगन्नाथ कोयला खान भेजकर दुर्घटना के कारणों की जांच करायें । तदनुसार उन्हें पत्र भेजकर यह अनुरोध किया गया कि वे इस न्यायालय को अपनी रिपोर्टें 11-1-82 तक प्रस्तुत कर दें ।

5.2 के० ई० अ० सं० (सी० एफ० आर० आई०) ने वैज्ञानिक श्री डी० के० भट्टाचार्य को और के० ख० अ० के० (सी० एम० आर० एस०) ने वैज्ञानिकों के एक दल को, जिसमें डा० टी० एन० सिंह, डा० एस० सी० बनर्जी और बी० डी० बालिगा थे, प्रतिनिधित्व किया । वे जगन्नाथ कोयला खान में 23 और 25 दिसंबर, 81 के बीच गए । निदेशक, खनन सुरक्षा, भुवनेश्वर और के० को० लि० (सी० सी० एल०) और केन्द्रीय खान योजना और डिजाइन संस्थान के अधिकारियों ने इस कार्य में उनकी सहायता की । जांच रिपोर्टें 11-1-1982 से पहले प्राप्त हो गई थीं और उन्हें अनुबंध-II व III पर प्रस्तुत किया गया है ।

6. गवाहों की जिरह :

6.1 11, 12 और 13 फरवरी, 4, 5 और 6 मार्च, 15, 16 और 17 अप्रैल; 6, 7 और 8 मई और 5 जून, 1982 को न्यायालय की बैठकें हुई जिनमें समस्त गवाहों के बयान लिए गए और जिरह का काम पूरा किया गया था । के० ख० अ० के० (सी० एम० आर० एस०) के वैज्ञानिक डा० टी० एन० सिंह और के० ई० अ० सं० (सी० एफ० आर० आई०) के श्री डी० के० भट्टाचार्य का भी न्यायालय के गवाहों के रूप में बयान लिया गया और कुछेक पक्षकारों ने उनसे जिरह की ।

6.2 गवाहों की जिरह 5-6-82 को समाप्त हो गई थी और बहस शुरू हुई । बहस 7-6-82 तक जारी रही । समस्त पक्षकारों को अपने-अपने मामलों पर बहस करने की अनुमति दी गई थी । के० को० लि० (सी० सी० एल०), के० को० लि० म० संघ (सी. सी० एल० डब्ल्यू० ए०)

ना० को० म० सं० (टी० सी० एम० एस०), डे० को० क० सं० (डी० सी० ई० यू०) ओ० को० लि० मं० (ओ० सी० एल० यू०) और भा० को० ज० सं० (सी० एम० ओ० ए० आई०) ने अपने मामलों पर बहस की और डे० को० श्र० सं० (डी० सी० एल० यू०) ने लिखित तर्क प्रस्तुत किए। 7 जून, 1982 को बहस के समाप्त हो जाने पर न्यायालय की सार्वजनिक बैठकें समाप्त हो गईं ।

7. सामान्य सूचना :

7.1 जगन्नाथ कोयला खान जहां यह दुर्घटना हुई थी, तालचेर कोयला क्षेत्र में उन छह कोयला खानों में से एक है जहां के० को० लि० (सी० सी० एल०) कार्य कर रहा है ।

7.2 तालचेर कोयला क्षेत्र जो 2500 वर्ग कि० मी० क्षेत्र में फैला हुआ है, और यह अक्षांश 20°—55′ और 21°.03′ उ० के बीच और देशांतर 84°—20′ और 85°—33′ पू० के बीच स्थित है । समस्त कोयला क्षेत्र उड़ीसा के ढेंकानाल जिले में स्थित है। कटक के निकट दक्षिण-पूर्व रेल मेन लाइन पर स्थित नरगुंडी जंक्शन से यह एक सौ कि० मी० लंबी ब्राडगेज रेल लाइन से जुड़ा है । यह 14 कि० मी० लम्बे प्रवेश मार्ग से जुड़ा हुआ है जो उस राष्ट्रीय राजमार्ग सं० 42 पर बालारपाल से निकलता है जो राष्ट्रीय राजमार्ग सं० 5 पर स्थित नरगुंडी और राष्ट्रीय राजमार्ग सं० 6 पर संबलपुर को जोड़ता है । तालचेर कोयला क्षेत्र, तालचेर और अंगुल उपविभागीय मुख्यालयों के काफी निकट है । जिला शहर ढेंकानाल से सड़क मार्ग से इसकी दूरी 70 कि० मी० और राज्य की राजधानी भुवनेश्वर से 155 कि० मी० है ।

7.3 इस कोयला क्षेत्र में वर्ष 1921 में सबसे पहले कोयला का खनन शुरू किया गया था जबकि मैसर्स बंगाल नागपुर रेलवे कंपनी लिमिटेड और मैसर्स मद्रास और दक्षिण मरहठा रेलवे कंपनी लिमिटेड ने क्रमश: डेलबेरा और तालचेर कोयला खानों में खदान कार्य शुरू किया । मैसर्स विलियर्स एंड कंपनी लिमिटेड, एक निजी कंपनी ने हंडीधुआ कोयला खान में खदान कार्य शुरू किया । ये सभी खानें भूमिगत थीं और इनमें रेलवे को कोयले की आपूर्ति के लिए तालचेर सं० 1 संस्तर कार्यरत था। राष्ट्रीय कोयला विकास निगम लिमिटेड (रा० को० वि० नि० लि०) (एन० सी० डी० सी०) के अक्तूबर, 1956 में गठन होने के समय तालचेर और डलबेरा कोयला खानों पर रा० को० वि० नि० (एन० सी० डी० सी०) ने तालचेर क्षेत्र में गहन अनुसंधान का काम अपने हाथ में लिया और तीन खानें खोलीं; यथा—दक्षिण बालंद (ओपेनकास्ट), जगन्नाथ (ओपेनकास्ट) और नंदीरा (भूमिगत) वर्ष 1973 में कोयला खानों के राष्ट्रीयकरण के पश्चात् हंडीधुआ को छोड़कर इस क्षेत्र की समस्त खानें 9-7-73 से कोयला खान प्राधिकरण लिमिटेड के स्वामित्व में आ गईं । 1-11-75 को कोल इंडिया लिमिटेड ने निगम से और केन्द्रीय कोयला क्षेत्र लिमिटेड सहायक कम्पनी के रूप में इन खानों का स्वामित्व के० को० लि० (सी० सी० एल०) को स्थानान्तरित कर दिया गया था । उड़ीसा राज्य सरकार से 24-11-79 को के० को० लि० (सी० सी० एल०) ने हंडीधुआ कोयला खान का स्वामित्व अपने हाथों में ले लिया ।

7.4 दुर्घटना के समय के० को० लि० (सी० सी० एल०) के समस्त शेयर सर्वश्री कोल इंडिया लिमिटेड के अधिकार में थे और सर्वश्री कोल इंडिया लिमिटेड के समस्त शेयर क्रमश: भारत के राष्ट्रपति के अधिकार में होते हैं । यह कम्पनी जिसका इसका निदेशक मंडल भारत सरकार के ऊर्जा मंत्रालय के दिशानिर्देश और नियंत्रण के अधीन कार्य करता है ।

7.5 तालचेर में छह कार्यरत खानें थीं जिनकी उत्कृष्ट कोयले की उत्पादन क्षमता प्रतिवर्ष 13.6 लाख टन और 10 लाख टन प्रतिवर्ष पावरग्रेड कोयले की थी । सन् 1980-81 में इस क्षेत्र से ओपन-कास्ट से 15 लाख टन और भूमिगत क्षेत्र में 6 लाख टन कोयले का उत्पादन हुआ । इस क्षेत्र में कुल 7 हजार लोगों को रोजगार मिला जिसमें लगभग 3,000 व्यक्ति भूमिगत क्षेत्र में नियुक्त थे ।

7.6 इस क्षेत्र की स्थलाकृति न्यूनाधिक घाटी है । औसत समुद्रतल से इसकी सामान्य उच्चता 122 एम से 137 एम के बीच है। मुख्य जल-निकास ब्राह्मनी नदी के दक्षिण-पूर्वी प्रवाह से नियंत्रित है जो कि कोयला क्षेत्र के पूर्वी छोर के साथ-साथ है ।

7.7 यहां ग्रीष्म ऋतु में अत्यधिक गर्मी पड़ती है । मई-जून में यहां अधिकतम तापमान 49° से० ग्रेड तक पहुंच जाता है । आर्द्रता भी यहां अधिक है । जाड़ा नाममात्र को होता है । वर्षा मई के मध्य या अंत में शुरू होती है और अक्तूबर मास तक चलती है । वार्षिक वर्षा लगभग 1100 मि० मी० से लेकर 1500 मि० मि० तक होती है ।

8. तालचेर कोयला क्षेत्र का भू-विज्ञान :

8.1 तालचेर शहर के नाम पर तालचेर कोयला क्षेत्र ब्राह्मनी नदी घाटी में स्थित है (देखें प्लान सं० 1) । हालांकि रानीगंज क्षेत्र में कोयला संस्तरों की श्रेणी स्थापित नहीं की जा सकी है, फिर भी 1.3 से 5.3 एम की विभिन्न मोटाइयों के विभिन्न वेधन छिद्रों में 12 कोयला संस्तर अभी तक सामने आए हैं । ये कोयला संस्तर निम्न कोटि के हैं ।

8.2 नत की सामान्य अनुदैर्ध्य दिशा पूर्व-पश्चिम है जिसमें कोयला क्षेत्र के दक्षिण-पूर्वी भाग में निम्न उत्तरी नति 4″ से 5″ के आसपास है जहां कि वर्तमान कोयला खानें स्थित हैं । फिर भी उत्तरी भाग में बाद-का नति दक्षिण की ओर है । कोयला क्षेत्र का दक्षिण-पूर्वी भाग भ्रंशित है। यद्यपि यह क्षेत्र मृदा के आवरण, अधोभूमि और मिश्र शिलाओं से ढका हुआ है, फिर भी भ्रंश सतह पर दिखाई नहीं पड़ते।

9. जगन्नाथ कोयला खान :

9.1 यह ओपेन कास्ट प्रायोजना वर्ष 1970-71 में प्रारंभ की गई थी जिसका कुल पृष्ठ क्षेत्रफल 593 एकड़ है । इस संपत्ति में आठ प्रमुख भ्रंश हैं । सामान्यत: ये भ्रंश पूर्व-पश्चिम की ओर उन्मुख हैं और उनमें भिन्न प्रक्षेप हैं । जगन्नाथ कोयला खान के खनन कार्य सर्वप्रथम दो प्रमुख भ्रंशों की द्रोणिका की खदान में शुरू किए गए थे । इस खदान का नाम मार्गदर्शी (पायलट) खदान रखा गया था । बाद में एक अन्य मुख्य (मेन) खदान में काम शुरू किया गया था । दुर्घटना के समय केवल इन दोनों गर्तों में कार्य हो रहा था । मार्गदर्शी (पायलट) गर्त संख्या 3 में 9 एम मोटा संस्तर दिखाई पड़ा जो कि लगभग 12 एम की गहराई में था जिसके बाद गहराई में लगभग 35 एम मोटा संख्या 2 संस्तर निकला जो कि संख्या 3 संस्तर से लगभग 6 एम की दूरी पर था । कोयला निम्न श्रेणी का, उच्च वाष्पशील और गैर कोकिंग प्रकार का है । जगन्नाथ कोयला खान का कुल उपलभ्य कोयला लगभग 350 लाख टन है । कोयले की श्रेणी "एफ" है जो कि तापीय ऊर्जा उत्पादन के लिए उपयुक्त है ।

9.2 जगन्नाथ कोयला मुख्यत: तालचेर थर्मल पावर स्टेशन द्वारा उपयोग में लाया जाता है जिसके बॉयलर इस खदान से निकाले गए उच्च राख कोयले को जलाने के अनुरूप बनाए गए थे । इस कोयले के अन्य उपभोक्ता इम्पोर थर्मल पावर स्टेशन और स्थानीय ईंट भट्टियां तथा उद्योग हैं । वर्ष 1980-81 में इस कोयला खान में 8.5 लाख टन का उत्पादन हुआ था । जून, 1981 में समाप्त होने वाली तिमाही में प्रति-माह उत्पादन 40 हजार टन था और 510 व्यक्ति इसमें रोजगार में लगे थे । खान अत्यधिक यंत्रीकृत है । इसमें डम्परों, बेलचों, पेलोडरों और कर्षण लाइन (ड्रैगलाइन) का इस्तेमाल किया जाता है ।

9.3 जैसा कि पहले बताया जा चुका है इस कोयला खान में दो गर्त हैं, यथा—मार्गदर्शी (पायलट) और मुख्य (मेन) खदान । मार्गदर्शी (पायलट) गर्त जहां पर यह दुर्घटना हुई थी, सामान्यत: 800 मी०× 240 मी०× 45 मीटर गहरी है । खदान तल के फर्श पर 15 मी० कोयला है । मार्गदर्शी (पायलट) खदान दो ऐसी मुख्य अनुदैर्ध्य भ्रंशों की

द्रोणिका में स्थित हैं जो कि पूर्वी-पश्चिमी दिशा की ओर उन्मुख हैं। भ्रंशों के दक्षिणी भाग में 1200 लाख का प्रक्षेपण है। उन्नयन अज्ञात है। द्रोणी के उत्तरी भाग में कई स्थानों पर एक से ज्यादा भ्रंश है। इन भ्रंशों के प्रक्षेप सापेक्षतया छोटे हैं (लगभग 30 मी० से अधिक नहीं) और उन्नयन (हेड) खड़ी ढाल वाले हैं।

9.4 प्लान संख्या 2 में मार्गदर्शी (पायलट) खदान के दक्षिणी भाग में भ्रंश की एक रेखा दिखाई गई है। इसकी प्रतिलिपि भू-वैज्ञानिक प्लान तैयार की गई थी। स्पष्टतया यह स्थिति सही नहीं है और इसलिए इसे टूटी रेखाओं द्वारा दिखाया गया है। दुर्घटना के बाद चिकने धरातल के दो खंड दिखाई पड़े थे। ये देखने में भ्रंश-तल जैसे लगते थे लेकिन उन्नयन कुछ-कुछ चपटा था। शायद यह भ्रंश न हों। इसे भी प्लान खंड में टूटी रेखाओं के द्वारा दिखाया गया है। प्लान में दिखाई गई टूटी रेखाओं का मुख्य आशय इस तथ्य की ओर ध्यान दिलाना है कि इसके आसपास भ्रंशतल है।

9.5 दक्षिणी भाग की ओर काम करते समय भ्रंशतल दिखाई नहीं दिया था। थोड़ा कोयला भ्रंशतल के पास इस आशय से छोड़ दिया गया था कि कहीं यह असामान्य स्तर में न चला जाए।

10. प्रबन्धक वर्ग :

प्रबंधक वर्ग में श्री ए० पाणि, क्षेत्रीय महाप्रबन्धक, श्री ए० के० त्रिपाठी, प्रायोजना अधिकारी या एजेंट और श्री एस० के० दे खान के प्रबंधक थे। श्री दे० 21 से 26 जून तक छुट्टी पर थे। इस अवधि के दौरान खान के सुरक्षा अधिकारी श्री ए० के० नायक प्रबंधक के पद पर कार्य कर रहे थे। अनुबंध 4 में क्षेत्रीय स्तर के साथ-साथ जगन्नाथ प्रायोजना की प्रबंधक वर्ग संरचना प्रस्तुत की गई है।

10.2 श्री पाणि इंडियन स्कूल आफ माइन्स से खनन इंजीनियरी में स्नातक हैं और उन्हें प्रथम श्रेणी का प्रबंधक (कोयला) प्रमाणपत्र प्राप्त है। स्नातक होने के पश्चात् उन्होंने लगभग 28 वर्ष विभिन्न पदों पर पश्चात् उन्होंने यह कार्य किया है। इसमें से उन्होंने लगभग 12 वर्ष कथारा, सिंगरौली और तालचेर जैसे यांत्रिक ओपेनकास्ट खानों में काम किया है। सिंगरौली में उन्होंने साढ़े तीन वर्ष प्रायोजना अधिकारी के पद पर और साढ़े तीन वर्ष महाप्रबंधक के पद पर कार्य किया है, मई, 1979 से वे कुछेक महीनों की सेवा-भंग अवधि के साथ तालचेर क्षेत्र के महाप्रबंधक के पद पर कार्यरत थे।

10.3 श्री ए० के० त्रिपाठी, इंडियन स्कूल ऑफ माइन्स से खनन इंजीनियरी में स्नातक हैं और उन्हें प्रथम श्रेणी का प्रबंधक (कोयला) प्रमाणपत्र प्राप्त है। उन्हें 14 वर्ष का अनुभव है जिसमें तीन वर्ष का अनुभव यंत्रीकृत ओपेन कास्ट खानों में काम करने का है। ये अगस्त, 1979 से जगन्नाथ कोयला खान के प्रायोजना अधिकारी या एजेंट के पद पर कार्यरत हैं।

10.4 श्री एस० के० दे कलकत्ता विश्वविद्यालय से खनन इंजीनियर के स्नातक हैं और उन्हें प्रथम श्रेणी का प्रबंधक (कोयला) प्रमाणपत्र प्राप्त है। उन्हें खनन में 14 वर्ष का अनुभव है जिसमें साढ़े तीन वर्ष का अनुभव यंत्रीकृत ओपेनकास्ट खानों का शामिल है। वे फरवरी, 78 से जगन्नाथ कोयला सेवा में कार्यरत हैं। उन्होंने सहायक कोयला खान प्रबंधक के पद पर कार्य करना प्रारंभ किया था और अगस्त, 1980 से प्रबंधक के पद पर उनकी पदोन्नति कर दी गई थी।

10.5 श्री ए० के० नायक खान के सुरक्षा अधिकारी हैं और दुर्घटना के दिन ये प्रबंधक के पद पर कार्य कर रहे थे। ये कलकत्ता विश्वविद्यालय से खनन इंजीनियर के स्नातक हैं और उन्हें प्रथम श्रेणी का प्रबंधक (कोयला) प्रमाणपत्र प्राप्त है।

10.6 खनन क्षेत्र में प्रबंधक की सहायता के लिए एक प्रथम क्षेत्र का सहायक प्रबंधक, एक प्रथम श्रेणी का सुरक्षा अधिकारी और दो द्वितीय श्रेणी के सहायक प्रबंधक थे। इंजीनियरी क्षेत्र में उनके पास एक कोयला खान इंजीनियर, एक अधीक्षण अभियंता और चार अधिशासी अभियंता थे। अनुबंध 5 में खान अधिकारियों की सूची दी गई है।

11. कार्यप्रणाली

11.1. मार्गदर्शी (पायलट) खान वेधन छिद्र संख्या एन० सी० टी० बी० 82 के पास पी० एंड एच० 1855 कर्षण लाइन के द्वारा शुरू की गई थी जो कि पूर्व से पश्चिम की ओर बढ़ती है। कोयला प्रकट होने के बाद कर्षण लाइन ने कोयले के दिखाई पड़ने वाले क्षेत्र से कुछ कोयला निकाला और कोयले को एक तरफ तल पर डाल दिया जहां से इसे दक्षिण बालंदा कोयला हैंडलिंग प्लांट तक ले जाया गया था। कोयला पट्टी की चोटी पर अस्थायी ढुलाई मार्ग बनाने के पश्चात् डंपर्स के साथ एक बेलचा काम में लाया गया था ताकि अधिभार और साथ ही साथ उच्च कोयला पट्टी के निष्कर्षण को हटाया जा सके।

11.2. पी० एंड एच० 1855 कर्षण लाइन को हटाने के कुछ समय पश्चात् एक नई खड़ी ई० एस० एच० 4/45 कर्षण लाइन मार्गदर्शी (पायलट) खान में लगाया गया था। कर्षण तार का उपयोग भ्रंशतल के साथ-साथ मार्गदर्शी (पायलेट) खान के उत्तरी किनारे पर ढुलाई मार्ग बनाने के लिए किया गया था। इसके अतिरिक्त दो, बेलचा थे जिनमें से एक का इस्तेमाल अधिभार को हटाने के लिए और दूसरे का कोयला उत्पादन के लिए किया गया था। उच्च पट्टी के निष्कर्षण के पश्चात् उनमें बेलचे से मध्यवर्ती प्रस्तर खण्ड हटा दिए गए थे और नीचे नं० 2 संस्तर के कोयला खंड पर कार्य पट्टियों पर किया गया था जो कि 6 से 10 मीटर ऊंची थी और जिनमें बेलचा, डंपर का प्रयोग साथ-साथ किया गया था।

11.3. संख्या-2 संस्तर (जिसे जगन्नाथ संस्तर भी कहते हैं) के संपूर्ण निष्कर्षण के लिए धरातल से खान की कुल गहराई 60 मीटर के आस-पास आंकी गई थी। इस प्रकार संस्तर के तल तक काम करने के लिए दो भ्रंशों के बीच खान की सीमित उत्तर-दक्षिण चौड़ाई को ध्यान में रखते हुए बेलचा डंपर को साथ-साथ उपयोग में लाना संभव नहीं था। इसलिए यह निर्णय किया गया कि लगभग 12 एम मोटाई के निचले तल के निष्कर्ष के लिए कर्षण लाइन को काम में लाया जाए।

11.4. वर्ष 1980 के अंत में इस गर्त के पास फर्श वाले कोयले को उठाने के लिए एक कर्षण लाइन लाया गया था। इसने खान तल पर पूर्वी किनारे से काम करना प्रारंभ किया। कर्षण लाइन संक्रिया की सुविधा से कोयले को हल्का विस्फोटित किया गया था। तल पट्टी के नीचे से लगभग 9 एम० कोयला छोड़कर दक्षिणी भाग के साथ-साथ 5 एम० चौड़ी पट्टी में विस्फोट के द्वारा एक अतिरिक्त उन्मुक्त द्वार उपलब्ध कराने के लिए विस्फोटन की सुधरी हुई कार्यक्षमता हेतु को आउट बनाया गया था। इस तरीके से लगभग 12 एम० फर्श का कोयला कर्षण लाइन द्वारा निकाला जा रहा था।

11.5. कर्षण लाइन खान तल पर कोयले ढेर के रूप में इकट्ठा करता था जहां से नीतभारक (पेलोडर) डंपर दोनों के उपयोग से कोयला बाहर भेजा जाता था।

11.6. अग्नि और स्खलन से हुए असामान्य स्थानों को छोड़कर खान का दक्षिणी भाग पट्टियों के रूप में था। दक्षिणी भाग में सर्वाधिक निचली पट्टी (कोयले में) जो कि दुर्घटना के स्थान के करीब थी, वह लगभग छह मीटर ऊंची और आठ मीटर चौड़ी थी। जिस स्थान पर दुर्घटना हुई थी वहां यह पट्टी विद्यमान थी, हालांकि इसका भाग आग में जल रहा था। इस पट्टी के निचले भाग मे ठोस कोयला था। इस स्थान की पूर्व दिशा में 6 एम दूर "की आउट" शुरु हुआ था। इस निचले क्षेत्र के साथ-साथ पश्चिमी भाग में जल, कर्षण लाइन संक्रिया से उत्पन्न पूर्वी भाग की हौदी की ओर बहा करता था। इस स्थान पर (बाद में यह इस पर गिरने वाले पदार्थ से भर गया था) पानी जैसी किसी भी चीज का संचयन नहीं था।

12. काम में लगी पारियां, पर्यवेक्षण तथा रोजगार :

12.1. खान में कार्य तीन पारियों में होता था और प्रत्येक पारी 8 घंटे की थी और पहली पारी 5 बजे सुबह शुरू होती थी । एक सामान्य पारी कुछेक वर्गों के मजदूरों के लिए सुबह सात बजे से साढे तीन बजे सायं तक लगती थी जिसमें आधे घंटे का आवकाश होता था ।

12.2. मार्गदर्शी (पायलट) खदान में सामान्यतया कर्षण लाइन तीनों पारियों में कार्य करता था । खदान तल में कोयले की ढुलाई नीत भारक (पे लोडर) और डंपरों की सहायता से प्राय: केवल दूसरी पारी में ही की जाती थी ।

12.3 दो दूसरी श्रेणी की सहायक प्रबंधक पारियों में क्रमावर्तित होते थे जिससे एक पारी में सहायक प्रबंधक के बिना ही काम होता है । प्रत्येक पारी में एक अधिकर्मी (ओवरमैन) और एक खनन सरदार, दोनों ही कार्यरत खदानों के लिए थे ।

12.4. विस्फोटन के लिए एक विस्फोट फोरमैन (जिसके पास अधिकर्मी का प्रमाण-पत्र होना है) था जिसकी सहायता के लिए शॉट फायरर था । मार्गदर्शी (पायलट) खदान में विस्फोटन 10 से 14 दिनों में एक बार किया जाता था । इस गर्भ में अंतिम विस्फोट 9-6-81 को किया गया था ।

12.5. कर्षण लाइन दल में 7 व्यक्ति थे जब कि नीतभारक (पे लोडर) को कार्यशील करने के लिए 9 व्यक्तियों की आवश्यकता थी, जिनमें एक फोरमैन और 5 हॉलपैक प्रचालक शामिल है । उपर्युक्त व्यक्तियों के अतिरिक्त दो पंप प्रचालक प्रत्येक पारी में लगे हुए थे ।

13. स्वत: तापन और संस्तर की विशेषताएं :

13. जैसा कि पहले उल्लेख किया गया है, मार्गदर्शी (पायलट) खदान का दक्षिण भाग मुख्य क्षीण तल के लिए बंद था । इस भाग में मई, 1977 के अंतिम सप्ताह यहां अग्नि देखी गई थी । उसी वर्ष और आगामी वर्षों में और बहुत-सी अग्नियां देखी गई । अग्नि को खोदकर बाहर करने और उसे बुझाने के प्रयत्न किए गए थे । ऐसा बताया गया है कि कुछेक अग्नियों को सफलतापूर्वक खत्म कर दिया गया था । तब से अछूते कोयला स्तर वाले दक्षिणी भाग के मार्गदर्शी (पायलट) गर्भ में कुछ अन्य अग्नियां दिखाई पड़ीं और कुछेक अग्नियों का जलते रहना जारी रहा । सामान्यतया असामान्य कोयले में ऐसी अग्नियां या स्वत:तापन होता है । दक्षिणी भाग में बिना अग्नि के ठोस (जो दरार आदि से असामान्य नहीं हुए थे) कोयले के खंड थे । उत्तरी भाग में भी क्षीण तल के साथ साथ अग्नि विद्यमान थी । अग्नि से कोयले के जलने के परिणामस्वरूप और कुछ हद तक अन्य कारणों से दक्षिणी भाग के साथ-साथ बहुत-से पार्श्व अवपात थे । दक्षिणी भाग के उस स्थान में जो कि इस दुर्घटना में गिर गया, 6 मीटर ऊंची निचली पट्टी (कोयले में) में आग लग गई थी और संस्तर के ऊपरी क्षितिज में तीन या चार खंडों में आग लग गई थी । इस स्थान पर स्थित अधिकांश निचली पट्टियों में आग लग गई थी । इनके तुरन्त ऊपर वाली पट्टी में आग लग गई थी, हालांकि वह थोड़ी कम थी ।

13.2. कोयला स्वत: तापन के प्रति अति संवेदनशील था । इस कोयले के प्रज्वलन और पारणबिन्दु निर्धारित नहीं किए गए थे । कोयला कार्बनयुक्त शिला समूहों के साथ अत्यधिक अंतर्नमित था । यह बताया गया है कि भंडार में जमा किए गए कोयले में दो या तीन महीनों की अवधि के पश्चात् आग लग गई थी । समीपस्थ और अंतिम विश्लेषण के परिणाम नीचे दिए गए हैं :—

समीपस्थ	अंतिम
राख—34.93%-30.81%	कार्बन—42-43%
नमी—6.43%-3.80%	हाइड्रोजन—2.7-3%
वी० एम०—24.07%-36.19%	नाइट्रोजन 1.1-1.2%
एफ०सी०—34.57%-30.87%	
यू० एच० वी०—3192 कै०कैल/कि०जी० 3933	

13.3 प्रबंधकवर्ग ने यह दावा किया कि दक्षिणी भाग में लगी आगों को बुझाने के लिए बहुत-से तरीके अपनाए गए थे । इन में आग को खोदकर बाहर निकालना और जल धारा से बुझाने के तरीके शामिल हैं । लेकिन इनके अनुभव के अनुसार यह पता चला कि बहुत-से मामलों में कुछ समय के पश्चात् अग्नि फिर लग जाती थी ।

13.4 दक्षिणी भाग में कोयला संस्तर और स्खलनों में कोयले के जलने के परिणामस्वरूप धरातल पर दरारें पड़ गई थीं । ये दरारें कई स्थानों पर 15 सें०मी० चौड़ी थीं और दक्षिणी भाग के ऊपरी किनारे के साथ-साथ पड़ी हुई थीं । एक स्थान पर दरार की रेखा में एक छोटी सी जल-गर्तिका भी बन गई थी । खदान में से वर्षा के पानी की निकासी के लिए इन दरारों के बाहर दक्षिण भाग के साथ-साथ खिरी हुई नाली का प्रबंध किया गया था ।

14. अग्नि और स्खलन से बचाव के बारे में किए गए उपाय :

14.1 जैसा कि पहले उल्लेख किया गया है, विगत में बहुत से अवसरों पर खंडों में पार्श्व अवपात हुए जब कभी गर्भ धूल के छोटे बादल उठे हैं । लेकिन इनमें से कोई भी ज्यादा दूर तक नहीं फैले हैं । एक विशिष्टि उदाहरण में 12-6-80 को आठ मजदूर ठेकेदार के द्वारा पूर्व में सड़क मार्ग बनाने में लगे हुए थे । जैसा कि एजेंट द्वारा बताया गया है, ये मजदूर सीढ़ियां बना रहे थे । दक्षिणी भाग से चार-पांच मीटर की ऊंचाई से कुछ गर्म पदार्थ लुढ़कता हुआ नीचे आया था और उससे गर्भ धूल का बादल बन गया । ठेकेदार के पांच आदमी, जो कि छह मीटर की दूरी पर काम कर रहे थे, उन्हें मामूली जलने की चोटें लगीं । यह ऐसी दुर्घटना या घटना नहीं थी जिसकी रिपोर्ट की आवश्यकता समझी जाती । अवपात और तदनुपरांत धूल के बादल से संबंधित सभी मामलों में गिरे हुए पदार्थ और धूल के बादल, इन दोनों का ही फैलाव निम्न तल से थोड़ी दूरी तक ही सीमित था ।

14.2 प्रबंधकवर्ग ने दावा किया कि उपर्युक्त अनुभव के आधार पर वे निम्नलिखित पूर्वोपाय कर रहे थे । इस संबंध में लिखित रूप में कुछ भी नहीं था ।

1. एक कर्षण लाइन 1980 के अंत में लगाया गया था जो कि उत्तरी भाग के साथ-साथ काम करता था । ऐसा करने से दक्षिणी भाग से कोयला उठाने के लिए 25 मीटर की सीमा में किसी व्यक्ति के लगाने की आवश्यकता नहीं रही थी ।

2. फिर भी, बरमे से छेद करने वाले और विस्फोट करने वाले दल को उसके नजदीक जाना पड़ता था लेकिन उन्हें निचले भाग से 10 मीटर से अधिक निकट नहीं जाना होता था, और इन लोगों की आवश्यकता 10 से 14 दिनों के बीच में केवल एक बार होती थी ।

3. उत्तरी भाग से पंप द्वारा पानी निकाला जाता था ।

4. कर्षण लाइन दक्षिणी निम्न तल से कोयला 18 मीटर दूरी पर इकट्ठा करता था । यह कोयला नीत भारक (पे लोडर) द्वारा उठाया जाता था ।

15. वर्षा :

अनुबंध 6 देखा जाए । इससे पता चलेगा कि 20 जून को भारी वर्षा हुई थी जिसके बाद 21 जून को उससे भी भारी वर्षा (105 मि०मी०) हुई थी । 22 और 23 तारीख को भी वर्षा होती रही थी । जगन्नाथ कोयला खान निकट स्थित दक्षिणी बालंदा कोयला खान में वर्षा रिकार्ड की गई थी । 20 से 23 जून तक कुल मिलाकर 162 मि०मी० वर्षा हुई थी ।

16. दुर्घटना से पहले की घटनाएं :

16.1 खदान के पूर्वी भाग में जहां से कर्षण लाइन द्वारा 12 मी० फर्शी कोयला निकाला गया था, उसका होदी के रूप में प्रयोग किया जाता था । इस होदी के उत्तरी भाग में दो पंप थे । वर्षा के कारण इकट्ठे हुए अतिरिक्त जल की व्यवस्था करने के लिए एक तीसरा पंप उत्तरी भाग के अन्य पंपों के पास लगाया जाना था । इस पंप को लगाने का कार्य महेन्द्र सिंह नामक ठेकेदार को दिया गया था ।

16.2. 23-6-1981 को मार्गदर्शी (पायलट) खदान में ठेकेदार ने केवल तीन मजदूर लगाए थे । 24-6-81 को उसने अधिकांश नए भर्ती किए 13 मजदूर (जिसमें 5 महिलाएं शामिल थीं) 7 बजे सुबह से चालू होने वाली सामान्य पारी में आधारिक कार्य पर लगाए । वह स्वयं उस स्थान पर उपस्थित था । के० कों० लि० (सी०सी० एल०) का सिविल पर्यवेक्षक रवि साहू इस काम का पर्यवेक्षण कर रहा था । पुराने पंपों का चलाने के लिए वहां पर एक पंप प्रचालक भी था । यांत्रिक फिटर कोकुला साहू भी खदान में उस समय उपस्थित था और एक पंप की मरम्मत कर रहा था ।

16.3. कर्षण लाइन इस पारी में कार्य नहीं कर रहा था । खदान तल से कोयले ढोने का कार्य नीत भारक (पे लोडर) ऊपर दोनों की सहायता से किया जाता था । यह कार्य रोक दिया गया था और ये मशीनें लगभग एक बजे दोपहर से पूर्व बाहर निकाल दी गयी थीं । कर्षण लाइन के पीछे बचा कोयले का ढेर तल पट्टी के निम्न भाग से लगभग 4 5 मी० ऊंचा और 18 मी० दूर था ।

16.4. एक बजे दोपहर के लगभग रवि और महेन्द्र गर्त से बाहर लंच के लिए आ रहे थे । उनके कुछ दूर पीछे ठेकेदार के दस मजदूर आ रहे थे । अन्य 3 मजदूर और गोकुल साहू अभी भी पंप के पास थे । इससे यह स्पष्ट होता है कि अंत में उल्लिखित 4 व्यक्तियों का लंच के लिए जाने का कोई इरादा नहीं था ।

17. दुर्घटना :

17.1. रवि और महेन्द्र एक साथ चल रहे थे । जब वे कर्षण लाइन पार कर चुके थे और लगभग उसके पश्चिमी भाग में 30 मीटर दूर खदान के उत्तरी भाग के साथ-साथ चल रहे थे, तब उन्होंने दक्षिणी भाग से लुढ़कते हुए पत्थरों की आवाज सुनी । जब उन्होंने दक्षिण की ओर देखा तो उन्होंने 5 मीटर की ऊंचाई से दक्षिणी भाग से लुढ़कते हुए पत्थरों के प्रवाह को देखा । रवि को लगा कि स्खलन का बल बढ़ रहा है । महेन्द्र ने भी और अधिक पदार्थों के स्खलन को देखा । उन्होंने कुछ दूरी पर अपने पीछे आते हुए मजदूरों को चेतावनी दी और वे स्वयं भाग ने लगे । महेन्द्र को लगा कि दक्षिणी भाग से आने वाली ध्वनि बढ़ गई थी । इसलिए जितना संभव हो सका वे उतना तेज भागे । वे सुगम मार्ग से कुलाई मार्ग पर चढ़ गए । कुलाई मार्ग पर पहुंचते ही रवि लड़खड़ाया और गिर गया । महेन्द्र रवि पर कूदा और गर्त से निकलने के प्रयत्न में पूर्व दिशा की ओर बढ़ा । उसने अपने सिर के ऊपर घना धुआ देखा । वह पश्चिम की ओर मुड़ा और पुराने कुलाई मार्ग के साथ-साथ चलने लगा । उसे यह डर लग रहा था कि कोई चीज उसके सिर पर गिर पड़ेगी । रवि ने भी ऐसा ही किया लेकिन वह काम में लाए जा रहे कुलाई मार्ग पर चढ़ा और ढलान तक भागा । रवि के अनुसार धूल को नीचे बैठने में 4 से 5 मिनट लगे उन्होंने मजदूरों को सहायता और पानी के लिए चिल्लाते हुए सुना । ये मजदूर कुलाई मार्ग के साथ-साथ आए थे । ये सब सफेद राख से ढके हुए थे । जब रवि ने उनके शरीर को छुआ तो उसने पाया कि उनकी खाल हट रही है । महेन्द्र के अनुसार जब स्खलन शुरू हुआ तो उसे ऐसा लगा कि जैसे पानी या या गैस होज पाईप से बाहर आ रही हो । यह सीधे ही उत्तरी भाग की ओर बढ़ा और सब ऊपर की ओर धूल का बादल बनने लगा । उस समय धूल में कोई लपट नहीं थी ।"

17.2. दुर्घटना से तुरंत पहले गोकुल साहू ने पंप प्रचालक को लंच के लिए भेज दिया था और वह स्वयं पंप पर और कार्य करने के लिए रुक गया था । उसके साथ या पास में तीन अन्य मजदूर थे जिनमें दो महिलाएं शामिल थीं । गोकुल ने दक्षिणी भाग से कुछ शोर आता हुआ सुना । उसने दक्षिणी भाग के कुछ हिस्सों को हिलते हुए देखा और साथ ही उसने बहुत शोर के साथ बहुत सारी धूल को उठते हुए देखा । उसके अनुसार धूल का एक हिस्सा उत्तर की ओर सीधा गया और हवा में ऊपर भी उठ गया । उसने शोर को "रुको, रुको" के रूप में व्यक्त किया । बचाव के प्रयत्न में वह कर्षण लाइन की ओर भागा । इस समय तक धूल का बादल फैल चुका था और उसे अपना रास्ता नहीं दिखाई दिया । इसलिए वह पंप की ओर पीछे मुड़ा । वह फिसल गया और पंपों के पश्चिम में लगभग 6 मीटर की दूरी पर गिर पड़ा । वह उठकर भाग नहीं सका । उसे ऐसा महसूस हुआ कि गर्म राख उसकी पीठ पर जमा हो रही है । वह बेहोश हो गया । थोड़ी देर पश्चात् उसे होश आया और वह खदान से बाहर चला गया । वह खनन वाले जूते पहने था । जमीन में जमा राख में उसके जूते धंस गए थे । सुकुरमणि और जानकी नगरई नामक दो महिला मजदूर दुर्घटना के समय गोकुल के पास थीं । सुकुरमणि ने "रुको" की तेज आवाज सुनी । वह अपनी आंखें बंद करके पंप के पास बैठ गई और तब उसके चारों ओर गर्म पदार्थ गिरना शुरू हो गया । सुकुरमणि और जानकी दोनों ही आगे बढ़ी और बाद में पंप की ओर लौट गईं । जब वे पंपों के पास थीं तब कुछ गर्म धूल उन पर जमा हो गई ।

17.3 चैतन चैतर नामक एक जख्मी ने बताया, "मैं गोकुल और दो महिला मजदूर कार्य स्थल के पास थे जबकि दस अन्य मजदूर लंच के लिए यहां से जा रहे थे । मैं खाने के लिए "चिड़वा" लाया था, इसलिए मैं लंच के लिए नहीं गया था । मैंने एक पत्थर गिरते हुए देखा और फिर बड़े पत्थर गिरने लगे । गोकुल ने कहा कि हमें तत्काल बाहर चले जाना चाहिए । इस समय तक हम गिरने वाली राख से ओत-प्रोत हो चुके थे । हम अपना रास्ता नहीं ढूंढ पाए । मुझे कार्य-स्थल पर वापस लौटना पड़ा और मैं मुंह के बल भूमि पर लेट गया ।"

17.4. अन्य दस मजदूर जो कि कर्षण लाइन के निकट थे जब तक उन्हें धूल के बादल ने पूरी तरह से ढक नहीं लिया तब तक वे न तो आगे जा सके और न ही पीछे । उनमें से कुछेक दक्षिणी से बढ़ते हुए धूल के बादल से बचने के लिए उत्तर की ओर बढ़े । अधजले कपड़े और जूते बाद में उत्तरी भाग की दीवार के निम्न तल के पास से मिले थे । इनमें से कुछेक उत्तरी भाग में 2 मी० ऊपर थे । स्पष्टतया ये मजदूर पांच से दस मिनट तक धूल के बादल में रहे । जब बादल छट गया तो वे कुलाई मार्ग पर लड़खड़ाते हुए आगे बढ़े और उनमें से अधिकांश ढलान पर या ढलान के निकट मर गए ।

17.5. इस दुर्घटना के समय नियंत्रण कक्ष के नजदीक समतल कुलाई मार्ग पर अधिशासी अभियंता श्री बी० के० लामा मौजूद थे । उन्होंने कोई भी आवाज नहीं सुनी थी । उन्होंने मार्गदर्शी (पायलट) गर्त से धूल का एक बड़ा बादल ऊपर उड़ते हुए देखा । उन्हें संदेह हुआ कि कर्षण खदान में आग लग गई है और खदान में जाने से पूर्व वे तुरन्त अपनी जीप में कुछेक इंजीनियरी कर्मिकों को इकट्ठा करने के लिए गए । उनके अनुसार धूल का बादल लगभग आठ से दस मिनट तक बना रहा । जब वे ढलान पर पहुंचे तो उन्हें बहुत से मजदूर मिले जिनमें से कुछेक लेटे हुए थे और अन्य कुछ अभी भी खदान में से बाहर निकलने के लिए लड़खड़ा रहे थे । उनके शरीर धूल से ढके हुए थे । इन सब मजदूरों की जलने की चोटें आई थीं और कई स्थानों पर खाल लटक रही थी और उन्होंने जो कपड़े पहन रखे थे वे अधजले थे । उन्होंने तत्काल अपनी जीप और एक ट्रक में हताहतों को उठाया और उन्हें आठ किलोमीटर दूर के०कों०लि० (सी० सी० एल०) के क्षेत्रीय अस्पताल में भिजवा दिया । तत्पश्चात् श्री लामा कर्षण लाइन को हुए नुकसान को देखने के लिए गर्त में घुसे ।

खदान का तल गर्म राख के और जलते हुए कोयले के छोटे टुकड़ों से ढका हुआ था। कर्षण लाइन की ओर जाते समय उन्होंने जले हुए कपड़ों के टुकड़े, टूटे-फूटे जूते और चप्पल तथा कुछ उतरी हुई खालें देखीं। उन्होंने एक व्यक्ति को कर्षण लाइन के नीचे पड़ा हुआ पाया। उन्होंने उसको अस्पताल भिजवाने की व्यवस्था की। उन्हें कर्षण लाइन में कोई यांत्रिक क्षति नहीं दिखाई पड़ी लेकिन धूल ने कर्षणलाइन के अन्दरूनी और बाहरी भाग को पूरी तरह ढक लिया था, हालांकि सभी दरवाजे और खिड़कियां बंद थे। उन्हें पथ के नजदीक एक महिला मजदूरन मिली। वह अपने टखने पर जलने की चोट के कारण और जमीन के गर्म होने के कारण चल नहीं सकती थी। वे उसे अपने कंधे पर उठाकर खदान से बाहर ले आए।

17.6. दूसरी पारी के अधिकर्मी (ओवर मैन) श्री एम० एम० दास दुर्घटना के समय टाइम आफिस में थे। मार्गदर्शी (पाइलट) गर्त से उठते हुए ढेर-से धुएं की ओर उनका ध्यान आकर्षित किया गया था, लेकिन उन्होंने कोई आवाज नहीं सुनी थी। धुएं का रंग काला था। जब वे खदान के पूर्वी छोर की ओर भाग कर जाने लगे तो उन्हें धुएं के कारण खदान तल का कोई भी भाग दिखाई नहीं दिया। धुआं लगभग 4 या 5 मिनट तक बना रहा। वे पूर्वी छोर के साथ-साथ नियंत्रण कक्ष में गए जहां वे एक ट्रक को रोककर और उसमें बैठकर खदान तक गए। उन्होंने ढलान पर बहुत-से हताहत व्यक्तियों को देखा। उन्होंने अपनी ट्रक में कुछेक हताहतों को क्षेत्रीय अस्पताल पहुंचाया।

17.7. खदान तल गर्म राख और धूल की मोटी परत से ढका हुआ था। नंगे पांव इस पर चलना असंभव था। इस गर्म राख के कारण श्री सामा ने अपने जूते के रबर सोल के जलने की गंध को महसूस किया। श्री एम०एम० दास का भी यही अनुभव हुआ था। उन्होंने आगे यह भी बताया कि अत्यधिक गर्मी से झुलसने के कारण उनकी पैंट भी खराब हो गई थी।

17.8. इस दुर्घटना में कुल 14 व्यक्ति हताहत हुए थे। सभी हताहत क्षेत्रीय अस्पताल में दोपहर को 1.30 से 1.45 के बीच पहुंच गए थे। दस व्यक्ति जो कि सघन धूल के बादल में फंस गए थे, उन्हें 80 प्रतिशत से 100 प्रतिशत तक जलने की चोटें आई थीं। वे सब दस दिन की अवधि के बीच में ही मर गए। अन्य मजदूर जिनमें दो महिला मजदूर भी शामिल थीं और जो उस समय गोकुल के साथ पंपों के नजदीक थे, वे गोकुल सहित गंभीर चोटों की शिकार हुई। इनके मामलों में जलने की प्रतिशतता 40 तक थी।

17.9. चिकित्सकों के अनुसार समस्त व्यक्तियों के कपड़े भिन्न-भिन्न सीमा तक जले हुए थे और उनके शरीर सफेद राख से पूर्णतः ढके हुए थे। उनमें से किसी को भी जलने की चोट के अलावा कोई चोट नहीं आई थी।

18. चिकित्सा सहायता :

18.1. इस दुर्घटना में कुल 14 व्यक्ति हताहत हुए थे, जिनमें से 13 ठेकेदार के थे और एक के०को०लि० (सी०सी०एल०) का था। सभी हताहतों को दोपहर को 1.30 और 1.45 के बीच तालचेर कोयला खान में स्थित क्षेत्रीय अस्पताल में पहुंचा दिया गया था जो कि दुर्घटना के स्थल से लगभग 8 कि०मी० की दूरी पर है।

18.2. सभी हताहतों का क्षेत्रीय अस्पताल में उपचार किया गया था। यह अस्पताल पूर्ण अस्पताल है। हताहतों को रोगाणुहीन कक्षों में रखा गया था जिनमें तापमान और आर्द्रता को नियंत्रित करने के लिए एयर कूलर लगे थे।

18.3 के०को०लि० (सी०सी०एल०) के मुख्य चिकित्सा अधिकारी जो कलकत्ता में सरकारी काम में लगे हुए थे, शीघ्र ही तालचेर रवाना हो गए और के०को०लि० (सी०सी०एल०) के निदेशक (कार्मिक) के साथ 25 तारीख की दोपहर के बाद अस्पताल पहुंच गए।

18.4. निकटवर्ती फर्टलाइजर कारपोरेशन आफ इण्डिया के अस्पताल से विशेषज्ञों की सहायता ली गई। डा० जी०पी० मोहन्ती प्रोफेसर आफ सर्जरी एस०सी०बी० मेडिकल कालेज, कटक और डा० एस०साहू एसोशिएट प्रोफेसर आफ सर्जरी, एस०सी०बी० मेडिकल कालेज, कटक की विशेषज्ञ चिकित्सीय सहायता प्राप्त की गई। इन दोनों डाक्टरों ने लगभग प्रत्येक दिन रोगियों को देखा।

18.5. तालचेर क्षेत्र के के०को०लि० (सी०सी०एल०) के विभिन्न अस्पतालों से सभी बारह डाक्टर और पेरा मेडिकल स्टाफ हताहत लोगों के उपचार के लिए रात-दिन काम पर लगा रहा।

18.6. उसी दिन चार हताहतों का निधन हो गया। उसके बाद 25 तारीख को एक व्यक्ति और दूसरी 26 तारीख को एक और व्यक्ति काल कवलित हो गया। 29 जून, 30 जून और 1 जुलाई, 1981 को अन्य तीन व्यक्तियों की मृत्यु हो गई और इस प्रकार मृतकों की कुल संख्या 9 हो गई। दसवां व्यक्ति 4 जुलाई, 1981 को सायंकाल 1 बजे अपने प्राण छोड़ बैठा। इन सभी व्यक्तियों को 80 प्रतिशत से 100 प्रतिशत तक जलने की चोटें आई थीं। गोकुलसाहू, चैतन चेतार, श्रीमती सुकरमणि और कुमारी जानकी जो कम जली थीं, बच गई।

18.7. जो लोग इस दुर्घटना में ग्रस्त हो गए थे, उनकी चोटों के विवरण और मृतकों की तारीख तथा समय आदि संलग्न अनुबंध 7(क) और (ख) में दिए गए हैं।

भाग—4

19. खान सुरक्षा महानिदेशालय (डी०जी०एम०एस०) द्वारा प्रस्तुत मामला :

19.1. खान सुरक्षा महानिदेशक, की रिपोर्ट (डी०जी०एम०एस० रिपोर्ट) के अनुसार एक ऐसा स्खलन हुआ जिसमें लगभग 20 मीटर से भी अधिक चौड़े दक्षिणी भाग के साथ लगभग 800 टन पदार्थ नीचे खिसक आया। यह स्खलन आग, भारी वर्षा, भ्रंश तल, चौड़ी दरारों से सतह पर पानी के प्रवेश आदि अथवा शायद इन सभी मिले-जुले कारणों से हुआ है।

19.2. उनका मत था कि लगभग 180 मीटर × 90 मीटर के क्षेत्र में धूल और राख के प्रसार और 6 से 10 सैंटीमीटर तक के आकार के पत्थर के टुकड़े लगभग 60 मीटर तक बिखरने के कारण भू-स्खलन नहीं है। यदि केवल भू-स्खलन ही हुआ होता तो यह स्खलित पदार्थ स्खलन के स्थान से 18 मीटर आगे 4.5 मीटर ऊंचे कोयले के ढेर से टकराकर रुक जाता। इसके अलावा यह छितरा हुआ पदार्थ उस खान के दक्षिणी भाग के विशिष्ट स्थानों से फेंका गया था जिसमें आग लगी हुई थी। इसलिए उनका यह भी मत है कि एक प्रस्फोट भी हुआ था। उनके मतानुसार यह प्रस्फोट पहले नहीं हुआ था जिसके फलस्वरूप भू-स्खलन नहीं हुआ जैसा कि दो चश्मदीद गवाहों सर्वश्री रबि साहू और महेन्द्र सिंह ने अपने बयान में स्पष्ट किया है।

19.3. वे इस बात से भारी असमंजस में पड़ गए कि किसी ने भी ऊंची आवाज अथवा असाधारण शोर नहीं सुना जो प्रस्फुटन के साथ साथ होता है। फिर भी, उन्होंने यह दलील प्रस्तुत की कि यह स्वीकार करना अपेक्षाकृत अधिक तार्किक होगा कि इस मामले में ऊंची आवाज किन्हीं कारणों से अधिक नहीं थी। अतः प्रस्फुटन की संभावना को बिल्कुल ही अस्वीकार न कर दिया जाय क्योंकि किसी ने भी ऊंची आवाज को नहीं सुना है।

19.4. इस प्रस्फुटन के कारण का पता लगाने का प्रयत्न करते हुए उन्होंने यह बताया कि ऐसा कोई साक्ष्य नहीं है जो विशेष रूप से इसका संकेत कर सके। ऐसा कुछ भी नहीं है जिसे स्पष्ट रूप से ठीक मान लिया जाए। इसलिए उन्होंने "अपेक्षाकृत कम संभावनाओं" में से कतिपय संभावनाओं पर विचार किया और पानी की गैस के विस्फोट के सिवाए अन्य सभी संभावनाओं को अस्वीकार कर दिया क्योंकि उन्होंने पानी की गैस के विस्फोट की न्यूनतम संभावना स्वीकार किया। उन्होंने कम से कम संभावनाओं पर विचार किया और कुछ संभावनाओं को अस्वीकार किया। इस संभावनाओं में चार्ज किए गए विस्फोट-पदार्थ, 100° सैंटीग्रेड से अधिक तापमान के अन्य

पानी, कोयला के आसवन द्वारा पैदा की गई कोयले गैस की विस्फोट और प्राकृतिक ज्वलनशील गैस की मौजूदगी शामिल की गई थी।

19.5. पानी-गैस से प्रास्फोटन की संभावना पर विचार करते हुए, उन्होंने राष्ट्रीय कोयला बोर्ड द्वारा प्रकाशित "टैक्नीकल हैंडबुक आन स्पायल हीप्स (कूड़े के ढेर के बारे में तकनीकी पुस्तक)" से कतिपय अंश उद्धृत किए। इस पुस्तक के अनुसार यह माना जाता है कि जहां कहीं भी ऐसी दुर्घटनाएं हुई हैं वहां कामगार विस्फोट से (पानी की गैस का) छितराए हुए गर्म पदार्थ अथवा कूड़े-करकट के ढेर से (जब आग पानी के संपर्क में आती है) जल गए हैं। इसी पुस्तक में यह सुझाव दिया गया है कि ढेर अथवा उसके आसपास काम करने वाले कामगार को आग के निकटवर्ती क्षेत्र से बचना चाहिए क्योंकि वहां ऐसे विस्फोट का खतरा होता है। यह स्पष्ट ही है कि आग के निकटवर्ती क्षेत्र को खतरनाक समझा गया है जबकि जगन्नाथ कोयला खान में लोग 60 मीटर दूर होते हुए भी 80 से 100 प्रतिशत जल गए हैं। इसलिए खा०सु०म० (डी०जी०एम०एस०) ने पानी-गैस के विस्फोट को न्यूनतम संभावना के रूप में वर्गीकृत करने की वकालत की है।

20. **प्रबंधकवर्ग द्वारा प्रस्तुत मामला :**

20.1. प्रबंध वर्ग का मामला आधार रूप से लगभग वैसा ही है जैसा कि टीका-टिप्पणियां और साक्ष्य का संबंध है। जहां तक मैं समझता हूं, इसमें केवल इतना ही है कि प्रबंधकवर्ग ने लगभग 1.5 किलोग्राम भार के पत्थर के एक टुकड़े को देखने का दावा किया है और बताया है कि यह टुकड़ा स्खलन के स्थल से लगभग 130 मीटर की दूरी तक फैंका गया है। खान सुरक्षा महानिदेशक, (डी०जी०एम०एस०) ने ऐसे किसी पत्थर के टुकड़े के बारे में कुछ नहीं बताया है। उन्होंने आधार रूप में जो अवलोकन किया है उसके अनुसार उत्तरी ऊंची दीवार के पास लगभग 80 मीटर की दूरी पर 6 से 8 सैंटीमीटर के पत्थर के टुकड़े दिखाई दिए हैं। फिर भी, इस अवलोकन के अन्तर में कोई भी तात्विक परिवर्तन स्पष्ट नहीं हो पाता जैसा कि प्रबंधकवर्ग किन्हीं निष्कर्षों पर पहुंचा है।

20.2. उन्होंने अपने लिखित वक्तव्य में यह निष्कर्ष निकाला है कि दक्षिणी भाग में भू-स्खलन हुआ था और इसके साथ ही साथ प्रस्फुटन भी हुआ था तथा यह भू-स्खलन प्रस्फुटन से पहले हुआ था। प्रस्फुटन के संभाव्य कारण पर विचार करते हुए उन्होंने यह निष्कर्ष निकाला कि धरती के स्तर में विवर और दरार होने के कारण इतने उच्च वाष्प का दबाव होना कठिन था कि 130 मीटर की दूरी तक 1.5 किलोग्राम के पत्थर के टुकड़े को फेंका जा सके और उनका यह मत था कि यह प्रस्फुटन केवल पानी गैस के विस्फोट के कारण ही हुआ है। उनके मतानुसार अग्निसह मिट्टी के संस्तरों के निक्षालन से गड्ढे पड़ गए थे जैसाकि मार्गदर्शी (पायलट) गर्त के उत्तरी भाग में काफी संख्या में गड्ढे देखे गए। इन गड्ढों में पानी-गैस और हवा का मिश्रण भरा हो सकता था जो गर्म पदार्थ से जल गया होगा।

20.3. के०को०लि० (सी०सी०एल०) के कोयला राख के विस्फोट की संभावना के संबंध में अपनी दलील दे हुए यह कहा कि कोयला—राख के बादल का निर्माण विस्फोट होने की पूर्व आवश्यकता है और इस प्रकार का बादल वर्तमान परिस्थितियों में तब तक नहीं बन सकता जबतक कि खुला वातावरण न हो तथा यदि इस प्रकार का बादल वायुमंडल में लटका रहे तो नाममात्र की ही उग्रता होगी और इस प्रकार की उग्रता की घटना नहीं होगी जैसाकि इस दुर्घटना में देखी गई। इस दुर्घटना से 8 दिन पूर्व के समय में 206 मिलीमीटर वर्षा हुई और भ्रंश तल की कोयला-राख पूर्णतया पानी में तर-बतर हो गई और इसलिए बहुत कम छितराव हुआ।

20.4. चार्ज विस्फोट छिद्र के विस्फोटन की संभावना के संबंध में के०को०लि० (सी०सी०एल०) का यह मत था कि चार्ज छिद्र से निकाला हुआ कोयला खदान के फर्श पर टूट जाता और छितरा जाता लेकिन इस प्रकार के कोयले के टुकड़े वहां नहीं मिले। उन्होंने यह भी कहा कि 9-6-81 को दक्षिणी ओर के निचले भाग में लगभग 15 मीटर की दूरी पर खदान की कोयला सतह में विस्फोट किया गया था। यह नितांत असंभव बात है कि धूल और जले हुए खंगर उसी प्रकार फैंके गए हों जैसे कि किसी विस्फोटित कोयला-सतह से धूल और खंगर फेंके जाते हैं और इस प्रकार फैंके गए खंगर और धूल की प्रचंडता भी उतनी नहीं थी। इसलिए उन्होंने इस प्रकार की संभावना को अस्वीकार कर दिया।

20.5. उन्होंने अपनी जो दलील दी है, उसमें वाष्प से होने वाली दुर्घटना की संभावना पर भी गहन विचार किया गया है। उन्होंने कतिपय कल्पित पैरा मीटरों के कुछ आंकलन भी किए हैं और अन्ततोगत्वा वाष्प से होने वाली दुर्घटना की स्थिति को भी त्याग दिया है। उनके मतानुसार वाष्प का निष्क्रमन उतनी गति नहीं प्राप्त कर सकता जितनी विस्फोटन की गति होती है और इस प्रकार तीखी रेखाओं में धूल का संचयन नहीं हो सकता। यह उग्रता और भी कम होती तथा खंगरों और जले हुए टुकड़ों को 60 मीटर या इससे अधिक दूरी तक न फेंक पाती। उन्होंने यह भी कहा कि अलग-अलग व्यक्तियों ने अपने निरीक्षणों में विदर और दरारें देखी हैं और लगातार आग तथा खान में जलोढ़ मृदा आदि के अधिभार तथा कोयला के भारी विस्फोटन से अधिक विदर और दरारें बढ़ गई हैं जिसके फलस्वरूप दबाव बढ़ाने के लिए वाष्प की बात अवरुद्ध गति की संभावना को भी त्यागना पड़ा है।

20.6. के०को०लि० (सी०सी०एल०) ने दलील देते हुए इस विचार का समर्थन किया कि कोयला के जल जाने के फलस्वरूप जो गड्ढा बन गया था उसमें विशेष रूप से ऊपर झुकी हुई परत अपने आप गिर गई और इस संभावना को खारिज नहीं किया जा सकता। लेकिन उन्होंने यह भी महसूस किया कि कुछ ऐसे अन्य विचार और कारक भी हो सकते हैं जो अपने आप ही परत के गिर जाने से प्रस्फुटन के कारण हैं जिसका विवरण इस प्रकार है :

(क) 21 मीटर की चौड़ाई के संस्तर में एक गड्ढा बन गया जो सैद्धांतिक आधार पर 16 मीटर का हो सकता है और यह अनुमान है कि कोयले में राख की प्रतिशत 30 और 35 के बीच में होगा। लेकिन वास्तविक व्यवहार में अपने आप ही गिर जाने की ऊंचाई इससे भी अपेक्षाकृत कम होगी क्योंकि राख का संचयन नहीं हो सका था।

(ख) इस प्रकार की ऊर्जा के मुक्त करने के लिए, जितने द्रव्यमान की आवश्यकता पड़ती वह संभव नहीं था क्योंकि आग के कारण परत काफी कमजोर हो गई थी।

(ग) कोयले के ऊपर की परत की प्रकृति के निरीक्षण से यह विदित होगा कि परत की नम्यता बहुत कम थी और उसमें अधिक शक्ति भी नहीं थी तथा वह ऊबड़-खाबड़ थी।

(घ) दुर्घटना के स्थल की प्रत्यक्ष जांच और उसके आस-पास के क्षेत्र के देखने से यह पता लगा है कि परत में अनेक विवर और दरारें पड़ गई थीं जिनसे यह विदित होता है कि जैसे ही और जब गड्ढा बना तो वह धीरे-धीरे और नियमित रूप से धसकने लगा। कोई भी एकाएक और एक ही अंसफलना नहीं है जिसके फलस्वरूप परत अपने आप ही गिरकर एक बड़ा गड्ढा बन गई है।

(ङ) दक्षिणी भाग के धसे हुए खान से यह पता लगता है कि स्पष्ट रूप से धीरे-धीरे धसकन हुई है जिसका कारण यह है कि कोयला जल गया था। जब ऊपरी परत अपने स्थान से हट जाती है और यह विशाल परत अपने आप ही गिर जाती है तो राख और खंगर के खुले वायुमंडल में फैलने का कोई अवसर नहीं है जब तक कि उसी समय पास की दीवार टूट न जाए। दुर्घटना के स्थल में इस बात की पुष्टि नहीं हो पाती।

20.7. के०को०लि० (सी०सी०एल०) ने अपनी दलील देते हुए यह कहा है कि आग लगे क्षेत्र के अन्दर उपलब्ध परिस्थितियों में पानी की गैस का निर्माण इस दुर्घटना की एक संभावना से कहीं अधिक है। इस प्रकार जो पानी की गैस बन गई थी, वह वायु के संपर्क में आ सकती थी और

उसे ऐसा प्रवेश मिल सकता था जिससे कि इस प्रकार का मिश्रण विस्फोटक हो सकता था जिससे जलते हुए कोयले का विस्फोट किया गया और जो वहन का स्रोत बना तथा जिसमें इस मामले में प्रस्फुटन हुआ। पानी की गैस की विस्फोटन में प्रकोप की मात्रा स्पष्ट हो जाती है जो इस मामले में देखी गई, पानी की गैसे से जले हुए स्लेटी पत्थर और खंगर के अधिक स्थान में छितराना भी प्रकट होता है। इससे यह भी पता लगता है कि पानी की गैस से खदान-तल में जमा राख की तीव्र धारियां बनी हैं जिन्हें देखकर यह लगता है कि एक ही स्थान से राख निकली है। इस पानी की गैस से यह भी स्पष्ट होता है कि प्रस्फोट की तीव्रता, पूर्वी ऊंची दीवार पर गर्म राख का प्रभाव, एकत्र राख के फंदेदार रूप और शुष्क प्रकृति तथा कामगारों की चोटें किस प्रकार की हैं। फिर भी उन्होंने उन कठिनाईयों का उल्लेख किया जिनसे उस बड़े गढ्ढे की मौजूदगी का अनुमान किया जाता जो अपेक्षित पानी की गैस को जमा कर पाता। फंदेदार राख के लिए संपीड़न कारक लागू करने से उन्होंने राख के टन आकलित किए जो लगभग 60 से 100 टन तक बिखरी हुई थी और इस आधार पर इस मामले में ऊर्जा का निष्कासन आकलित किया गया जो 15 लाख बी०टी०यू० से भी कम था। उन्होंने प्रति घनफुट पानी की गस की ताप ऊर्जा को 350 बी०टी०यू० माना और हवा तथा पानी गैस के मिश्रण की संभावना पर भी विचार किया। यह गैस दबाव के कारण खाली स्थान में रह गई थी और इस प्रकार खाली स्थान की आवश्यकता को और भी कम कर दिया गया था। उनके मतानुसार इस तात्कालिक मामले में आवश्यक पानी-गैस और वायु के मिश्रण की कुल आयतन कम से कम 385 एम3 की आवश्यकता होगी। यदि इस मिश्रण का ऊंचे दबाव तक सीमित किया जाए तो आयतन की आवश्यकता कम होगी जो परिरोध के दबाव पर आश्रित है।

21. अन्य दलों द्वारा प्रस्तुत किए गए मामले:

21.1 तालचेर कोयला खान मजदूर संघ (टी०सी०एम०एस०) को छोड़कर अन्य 7 दलों ने कोई भी विशेष मामला प्रस्तुत नहीं किया। उनमें से तीन दल सामान्यतया खान सुरक्षा महानिदेशालय (डी०जी०एम० एस०) के निष्कर्षों से सहमत थे।

21.2 ता०को०म०सं० (टी०सी०एम०एस०) ने जिरह करते समय एक मामला प्रस्तुत किया। उनके मतानुसार पानीगैस के विस्फोट की संभावना बिल्कुल ही खारिज कर दी गई और दुर्घटना के लिए यह बताया गया कि यह दुर्घटना निस्संदेह भू-स्खलन से हुई है। उन्होंने अपने विचार की पुष्टि के लिए सविस्तार आकलन प्रस्तुत किए हैं। अन्य बातों के साथ-साथ कतिपय अनुमानों के आधार पर आकलन किए गए हैं जो इस प्रकार हैं:--

(क) स्खलित सतह के किनारे भिन्न का गुणांक शून्य था;

(ख) स्खलन के तले पर स्खलित हुई मिट्टी के कण ने लगभग 24 एम/सैकिंड की तीव्र गति प्राप्त की जिनके फलस्वरूप वह कण राख में बदलकर चूर्ण-चूर्ण हो गया और लगभग 24 एम/सैकिंड की तीव्र गति से वायु में बिखर गया अर्थात इसकी वही तीव्र गति थी जिससे धूल का बादल बन जाता है;

(ग) स्खलित पदार्थ के कण तल पर पहुंचकर 24 एम/सैकिंड की गति प्राप्त कर चुके थे, समतल/खदान की पट्टी से हट गए थे और किसी भी दिशा में उसी तीव्र गति से प्रक्षेपकों के रूप में उड़ने लगे थे; और

(घ) स्खलित पदार्थ के कण जो तल पर पहुंचकर 24 एम/सैकिंड की तीव्र गति प्राप्त कर चुके थे, खदान के तले में खिसकने लगे और उनकी गति 21 एम/सैकिंड थी यद्यपि उनकी दिशा 45 बदल गई थी।

21.3 मुझे आशंका है कि जो अनुमान और निष्कर्ष निकाले गए, वे देखे गए तथ्यों और वैज्ञानिक विश्लेषण के साथ मेल नहीं खाते।

22. केन्द्रीय खनन अनुसंधान केन्द्र (सी०एम०आर०एस०) द्वारा प्रस्तुत मामला :

22.1 के०ख०अ०के० (सी० एम० आर० एस०) ने सर्वप्रथम इस दुर्घटना की संभावना पर विचार किया जो भू-स्खलन के कारण हुई थी। उन्होंने यह अनुमान लगाया कि 24 मीटर मोटी कोयले की परत बिल्कुल ही जल गई है जिसके फलस्वरूप मूल आयतन घटकर मात्र एक तिहाई रह गया है (क्योंकि कोयला में 30 से 35 प्रतिशत तक राख की मात्रा रह गई है।) यदि सभी परिस्थितियां अनुकूल मान ली जाएं तो स्खलित पदार्थ की तीव्र गति 18 मिनट प्रति सैकिंड से अधिक नहीं हो सकती। यदि यह मान लिया जाए कि प्रत्येक खंगर ने इस प्रारंभिक तीव्र गति को प्राप्त कर लिया है तो 45° के कोण पर अक्षेपित अधिकतम उछाल 33 मीटर तक ही होगा इसलिये उनके मतानुसार 33 मीटर के बाद फेंके गये या छितराए हुए पत्थर/टुकड़ों से यह संगत नहीं लगता कि यह घटना केवल भू-स्खलन और प्रक्षेपित निष्कासन से हुई है इसलिये उन्होंने यह निष्कर्ष निकाला कि एक प्रस्फुटन भी हुआ था।

22.2 जब वे प्रस्फोट के कारण का पता लगा रहे थे तो उन्होंने ऐसी प्रक्रिया का अनुसरण किया जिसके अनुसार सर्वप्रथम यह सुनिश्चित किया कि यह भी नहीं हो सकता। उन्होंने भ्रंश तल के साथ मेथैन गैस के एकत्र होने और ज्वलनशील गैसों के उत्पादन तथा कोयले के आसवन द्वारा उत्पन्न मेथैन गैस की संभावना के बारे में विचार किया और उसके बाद इन संभावनाओं को भी रद्द कर दिया। मेथैन गैस के विस्फोट की संभावना बहुत कम थी क्योंकि गैसे पूर्ण सस्तरों का कोई इतिहास/अभिलेख नहीं है। यदि यह दोष गैस, फीडर के कारण हो था तो यह आज भी जाना जा सकता है। आसवन-उत्पाद के रूप में गैस की संभावना और ऊंचे स्तर पर इसका संचय होना संभव कारण हो सकता है लेकिन इसके विस्फोट से काफी नीचे क्षितिज से राख और खंगर निकलने की संभावना नहीं है। उन्होंने अपनी बात को अधिक स्पष्ट करते हुए यह भी कहा कि ऐसी छिछली गहराई और उच्च पारगम्यता के अधिक भार के अन्तर्गत गस के फंसने का बहुत ही कम अवसर होता है।

22.3 उन्होंने कोयला धूल के विस्फोट की संभावना पर भी विचार किया। उनकी रिपोर्ट में भ्रंश तल में खराब बेंचियां और रोज की उपस्थिति का उल्लेख है जिसमें बारीक कोयला धूल मिली हो सकती है। आग और शुष्क मौसम के प्रभाव के अन्तर्गत धूल में अधिक छितराव हो सकता है। भू-स्खलन से भ्रंश-तल दिख सकता है जहां धूल जम गई थी जिसके फलस्वरूप कोयले की धूल के बादल बन गये थे। जलते हुए कोयले की उपस्थिति से इस धूल का विस्फोट प्रारंभ हो सकता है जो उग्र शक्ति के साथ फट सकता है, जिसका अधिक तापमान हो सकता है और उच्च ताप का विकास हो सकता। फिर भी ऐसी परिस्थिति में अन्य बातों के साथ-साथ कोयला धूल का विस्फोट इस घटना के देखे गये लक्षणों के प्रति संतोष व्यक्त नहीं करता।

(क) कोयले के झुलसने और राख के गोलों के निर्माण आदि के चिन्ह दिखाई नहीं दिये हैं।

(ख) कोयला धूल के साथ विस्फोट की जवन्य स्थिति बहुत ही भयंकर रही और इसकी किसी भी प्रकार से उपेक्षा करने की संभावना नहीं है।

(ग) आग के क्षेत्र से उठने वाले टुकड़ों और राख के छितराव की संगतता इससे सिद्ध नहीं होती है।

(घ) कोयले की काली राख इस परिणाम का सबसे अधिक महत्व का सर्वोच्च कारण होना चाहिये।

इन लक्षणों में से किसी भी लक्षण की पुष्टि अलग-अलग स्रोतों से प्रस्तुत किये गये साक्ष्य से नहीं होती है।

22.4 इसके बाद उन्होंने कुचली हुई और पारगम्य कोयला संस्तर के प्रवचालित उत्तेजन पर भी विचार किया जो उनके मतानुसार यह कहा जाता है कि गैस का बाह्य प्रवाह 20 गुना तक बढ़ गया था। पिछले दिनों में वर्षा के कारण इस उत्तेजन के लिये परिस्थितियां पैदा हो गई थी। परन्तु उन्होंने इस संभावना को रद्द कर दिया क्योंकि गैसों को अपेक्षाकृत ऊपर उठने की अधिक स्वतंत्रता थी क्योंकि जमीन में भ्रंश थे और यह गैस उस स्थान तक नहीं गई जहां आग लगी थी और जहां से राख और अंगार निकलते हुए बताए गये हैं।

22.5 उन्होंने यह भी विचार किया कि इस घटना का कारण वाष्प की उपस्थिति भी हो सकती है। वर्षा का पानी दरारों या सुराखों में से निकलकर भ्रंशतल के साथ फैल सकता है क्योंकि भ्रंशतल में साधारणतया अधिक पारगम्यता थी। पानी का तापमान जगह जगह आग की उपस्थिति और अलग अलग क्षितिजों में धीरे-धीरे बढ़ सकता है। वर्षा के पानी के बहाव के बाद चैनल बन्द हो गया जब पानी वाष्प में बदलने लगा और इस प्रकार वाष्प का आयतन पानी के आयतन की अपेक्षा 1700 गुना अधिक हो सकता है। वाष्प खदान की ओर बहने लगी जहां भ्रंशतल और जले हुए किनारे का अन्तराल बहुत कम होता गया। वाष्प में उपलब्ध यंत्रीकृत बल से राख और अंगार यंत्रीकृत रूप से निकले होंगे। इस प्रक्रिया में न तो कोई आग की लपट और न कोई आवाज होनी चाहिये बल्कि इसे अपेक्षाकृत कम शक्ति और उष्मा का होना चाहिये क्योंकि फ्रैक्चर/भ्रंश क्षेत्र के किनारे बहुत अधिक दबाव पैदा नहीं हो सकता। इसलिये इस कारण से 1.5 किलोग्राम के भार तक के छितरे हुए अंगारों का 130 मीटर की दूरी तक पहुंचना संभव नहीं है।

22.6 अंत में उन्होंने पानी--गैस विस्फोट की संभावना पर विचार-विमर्श किया और इसको एक संभावना माना। मैं उनकी रिपोर्ट का संगत अंश उद्धृत करता हूं:

"गर्म पानी या वाष्प जलते हुए कोयले पर से गुजर सकती है और यह कोयला भ्रंशतल तथा आग की जगह में पैदा हो सकता है। यह पानी की गैस में परिवर्तित हो सकता है। इस गैस की कम मात्रा वृहत् विस्फोटन--सीमा (5.70 प्रतिशत) के साथ आग द्वारा निर्मित गड्ढे में बहुत गहराई में विस्फोटित हो सकती है और पंजे के आकार के क्षेत्र में जली हुई राख और अंगारों का छितराव प्रारंभ कर सकती है जैसा कि खनिकों ने रिपोर्ट की है।

इस मामले में धुएं का रंग धुंधला भूरा हो सकता है (राख के के रंग के समान हो सकता है) उष्मा अपेक्षाकृत अधिक गंभीर नहीं होगी लेकिन पहले से ही गर्म की गई राख के स्थान का कुल मिलाकर तापमान अधिक हो जायेगा क्योंकि उसकी उष्माक्षेपी प्रतिक्रिया होती है। इससे यह न्यायसंगत लगता है कि अधिक उष्मा, धुआं या आवाज के बिना ही 90 मीटर की दूरी पर ही हताहत जल गये हैं।

खुली खान में इस प्रकार के पानी-गैस के विस्फोट का होना अपने जैसा ही है और हम किसी भी पुरानी घटना के खोजने में असमर्थ हैं परन्तु परिस्थितियों के साक्ष्य से इस मामले में विचाराधीन घटना की संभावना है।"

23. केन्द्रीय ईंधन अनुसंधान संस्थान (सी०एफ०आर०आई०) द्वारा प्रस्तुत मामला:

23.1 के०ई०अ०सं० (सी०एफ०आर०आई०) ने ज्वलनशील गैस के विस्फोट के अलावा किसी भी संभावना पर विचार नहीं किया इसलिये यह अनुमान किया जाता है कि उन्होंने अपने आप हो भू-स्खलन कोयला-धूल अथवा वाष्प के विस्फोट अथवा वाष्प आदि किसी में भी संभाव्य कारण नहीं माना है। उनकी रिपोर्ट का सारांश इस प्रकार उद्धृत किया जाता है:

"प्रमुख खदान के कहीं न कहीं दक्षिणी भाग में आग के क्षेत्र में बराबर घटनाओं से जगन्नाथ कोयला खान में दुर्घटना हुई है। इस स्थान में अपने आप ही आग का लग जाना और उसका प्रसार होते रहना मई 1970 से बताया गया है लेकिन स्वयं इससे ही गंभीर प्रस्फोट और विस्फोट नहीं हो सकता जब तक कि अन्य घटनाएं बारबार न हों और इस स्थिति को उत्पन्न करने वाला कुछ न कुछ कारण न हो।

यह क्षेत्र आग के अंतर्दहन से अपने आप ही उत्पन्न राख और अंगारों से धीरे धीरे ढक गया है और बाद में पुराने कार्य स्थलों से छूटे हुए खुले पदार्थों द्वारा गिरे हुए और धीरे धीरे सूखे हुए पत्थरों के मलबे की बड़ी मात्रा से ढक गए होंगे। इसके अलावा अन्तर्दहन आग का स्थान कोयले के स्थल से बहुत नीचे तक घुस गया है जो वृहद् भ्रंशतल द्वारा घटनाग्रस्त क्षेत्र में स्थित है।

इस प्रकार आग के क्षेत्र में अधिक वस्तुओं के फटने से कोयले के स्थल के अन्दर और उसके ऊपर कई रासायनिक प्रतिक्रियाएं हुई, अर्थात् दहन, उन गैसों के लगातार उत्पन्न होने से गैस--निर्माण और कार्बनीकरण--जिसने आग के क्षेत्र में बहुत गहराई में काफी अधिक दबाव पैदा कर दिया। इसके परिणामस्वरूप जब जटिल दबाव पैदा हुआ तो पत्थर के मलबे को ढकने वाली उपरी सतह बहुत जोर से उड़ गई जिसके कारण मलबा निकलने का एक खुला स्थान बन गया और गैस--क्षेत्र में हवा के एकाएक घुलमिल जाने से दबाव के कारण उच्च अन्तर्दहन वाली गैस के मिश्रण का विस्फोट हुआ अर्थात् मेथेन वायु, कार्बन, मोनोआक्साइड वायु और हाइड्रोजन वायु आग के स्थल की बहुत गहराई में शायद इस प्रकार का विस्फोट पत्थर के मलबे की भारी मात्रा को खिसकाने और अधिक आयतन में बहुत गर्म बेकार गैस की निकासी जिसके साथ महीन गर्म राख की धूल के कण और अंगारे शामिल हो गए थे जो ऊपर की ओर प्रक्षेपित हुए तथा जिसके कारण बेचारे हताहत जल भुन गए।"

23.2. के० ई० अ० सं० (सी० एफ० आर० आई०) रिपोर्ट पर आलोचना करते हुए के० को० लि० (सी० सी० एल०) ने यह दलील दी कि यदि कोयले के पायरोलिसिस के उत्पादन दबावोत्कारी ढंग से घेर लिए गए थे जिससे कि गैस बाहर नहीं जा सकती थी। परिणामस्वरूप दबाव में वृद्धि हो गई। इसका आवश्यक रूप से प्रभाव यह हुआ कि कोई भी वायु इस क्षेत्र में यहीं घुस सकी। इसलिए कोयले का जलना अपने आप ही बंद हुआ होगा और समय के अन्तराल में आग बुझी होगी। के०ई० अ०सं० (सी०एफ०आर०आई०) ने जो सैद्धान्तिक प्रतिपादन किए हैं उनके आधार पर गैस की पाशबद्धता गैस के निर्माण की संभावना को खारिज करती है। मैं के०को०लि० (सी०सी०एल०) द्वारा अभिव्यक्त परामर्श से सहमत हूं।

23.3. सारांश के अंतिम अनुच्छेद में के०ई०अ०सं० (सी०एफ०आर० आई०) ने भीतर से गैसों के उच्चदाब के कारण आवरण के फटने और इसके परिणामस्वरूप गैस क्षेत्र में वायु के आकस्मिक अंतः स्फोट की कल्पना की जिससे दाब के फलस्वरूप गैस मिश्रण का विस्फोट हुआ। मैं यह नहीं समझ पाया कि कोटर में वातावरण से वायु का अतः स्फोट और तिस पर भी दाब के फलस्वरूप गैस मिश्रण का परिणामी विस्फोट कैसे हो सकता है। इसके अतिरिक्त इसमें भिन्न रूप से दो समान घटनाओं पर विचार किया गया है, यथा--राखसहित सामग्री का निष्कासन जिसमें थोड़े समय के अंतराल के बाद विस्फोट हुआ था। ऐसा कोई साक्ष्य नहीं है जिससे यह ज्ञात हो कि दो प्रस्फोट हुए थे। उपर्युक्त को ध्यान में रखते हुए मैं यह उचित नहीं समझता कि के०ई०अ०सं० (सी०एफ०आर० आई०) के मामले पर संभाव्यता के रूप में विचार किया जाए।

भाग—5

24 ओपन कास्ट खानों में अग्निकांड की समस्याएं

24.1. ओपेन कास्ट खानों में अग्निकांडों से उत्पन्न होने वाले खतरों के विरुद्ध कोयला खान विनियम, 1957 में किन्हीं सुरक्षा उपबन्धों को निर्धारित नहीं किया गया है। ओपेन कास्ट खान –सी० एम० आर० 117(3) और (4) में अग्निकांड की घटना की रोकथाम के लिए निसंदेह कुछ उपबन्ध हैं। मेरा विचार है कि विधियमों में उपबन्धों का सेट होना चाहिए। इससे पहले कि मैं ऐसे किन्हीं उपबन्धों की सिफारिश करूं मैं इस संबंध में विभिन्न पक्षकारों के बयानों पर विचार करूंगा।

24.2. के०को०लि० (सी०सी०एल०) ने अपनी दलील में बताया कि यद्यपि भूमिगत खान जहां अग्निकांड की घटनाएं CO (के उत्पादन, मेंथन फायरडैम्प) के विस्फोट या/और कोयला धूल और अन्य बाधाओं के कारण गंभीर बाधाएं उपस्थित करती हैं, उनके संबंध में विभिन्न अनुबंध हैं, फिर भी अभी तक ओपेन कास्ट खानों के संबंध में न केवल अपने देश में बल्कि विश्व के किसी भी देश में कभी भी किसी बाधा की कल्पना नहीं की गई है। उनके अनुसार स्वतः प्रवर्तित तापन की रोकथाम के लिए या अचानक शुरू होने वाले अग्निकांड को समाप्त करने के लिए कोई स्थायी हल नहीं खोजा गया है।

24.3. न्यायालय के समक्ष श्री पाणि ने अपने बयान में अग्नि पर रखी कोयला पट्टियों में वेध-छिद्रों और उनमें इस दृष्टि से पानी भरने के संबंध में कहा कि विदर सतहों और अंतरालों में से पानी फैल जाएगा। उन्होंने यह पाया कि यह प्रणाली अपनाने के पश्चात् एक सप्ताह के लिए खदान के अग्रभाग का अधिकांश हिस्सा हट गया था और इसके निकट लगे डेलचे और काम कर रहे व्यक्ति बाल-बाल बच गए। इसलिए उन्होंने यह प्रणाली त्याग दी।

24.4. श्री पाणि ने झींगुरडा में के०खा०अ०के० (सी०एम०आर०एस०) द्वारा सुझाई गई प्रणाली के संबंध में अपने अनुभवों का वर्णन किया। इस प्रणाली में कोयला पट्टी के तल को वृक्ष तेल और कोलतार को तीन एक के अनुपात में मिश्रित करके लेपा गया था। लगभग 500 मी० वर्ग क्षेत्रफल के दो खंडों पर इसका परीक्षण किया गया था। कुछेक महीनों तक यहां तक कि छह महीनों तक, आग नहीं लगी और बाद में आग लगी और जब आग लगी तो अग्नि ने और भीषण रूप धारण कर लिया क्योंकि कोलतार और दग्धतेल अति ज्वलनशील हैं। डा० टी० एन० सिंह ने यह स्वीकार किया कि झींगुरडा में जांच कार्य के निष्कर्ष निर्णायक नहीं थे और कोलतार तथा तेल से किए जाने वाले लेपन की तकनीक ज्यादा सफल नहीं थी। इस कोलतार और मल परीक्षण को छह वर्ष पूर्व स्थिर पट्टियों पर रखा गया था। लेकिन झींगुरडा में अग्नि अभी भी विद्यमान है।

24.5. के०ई०अ०सं० (सी०एफ०आर०आई०) के श्री डी० के० भट्टाचार्य ने कहा कि ऐसे कोयले (जगन्नाथ कोयला) में स्वतः निर्मित अग्नि प्रत्येक स्थान पर एक सामान्य बात है। इससे अधिक विस्तृत अग्निकांड कुछेक अन्य कोयला खानों में देखे गए हैं, यथा—सिंगरौली कोयला क्षेत्र के झींगुरडा खान में।

24.6. झींगुरडा कोयला-खान में स्वतः निर्मित अग्नि बाधाओं की समस्याओं का हल खोजने के लिए सन् 1979 में कोल इंडिया लिमिटेड द्वारा के०ई०अ०सं० (सी०एफ०आर०आई०) को लिखा गया था। अंतिम रिपोर्ट में के०ई०अ०सं० (सी०एफ०आर०आई०) ने यह मत व्यक्त किया कि झींगुरडा में अग्निबाधा की समस्या आवश्यक रूप से कोयले के स्वतः निर्मित दहन के कारण उत्पन्न नहीं होती, बल्कि इसके अन्य कारण हैं। उनकी सिफारिशें नीचे दी गई हैं :

"(1) पहला काम पहले होना चाहिए, कोयला खान के बहुत-से स्थानों पर मौजूद आग को पूरी तरह बुझाकर उसे बाहर निकाल दिया जाना है। यह कार्य सरल नहीं है, फिर भी समस्या से जूझना है।

यह सुझाव दिया गया है कि खंड-खंड के हिसाब से विभिन्न क्षेत्रों का सीमांकन करके उन्हें अलग कर लेना चाहिए तथा अग्नि का सामना करके उसे बुझा देना चाहिए। स्पष्टतः, अग्निशामक उपस्करों तथा कार्मिकों को इस कार्य के लिए संगठित किया जाना है। अग्नि को खोद निकालने में इस बात की सावधानी बरतनी चाहिए कि कोई सुलगती हुई आग या ऊष्मा कहीं भी शेष न रहने पाए। संक्षेप में, यही नहीं कि दिखाई पड़ने वाली आग को पूरी तरह बुझा दिया जाना है, बल्कि सभी गर्म जगहों की जांच करके उन्हें ठंडा कर देना है।

(2) एक बार सभी अग्नियों को समाप्त करके पूरी तरह बुझा देने के बाद स्वतः निर्मित या प्रेरणमूल की अग्नि की पुनरावृत्ति को रोकने के लिए अनुरक्षण, उपायों को काम में लाया जाना चाहिए ये उपाय निम्न प्रकार के हो सकते हैं:—

(क) पुरानी खदानों के अग्रभागों को, विशेष रूप से उन्हें जो कि अत्यधिक असमान हैं और जिनमें दरारें और विदर हैं और जिनमें शिथिल कोयले के टुकड़े तथा उसकी जैसी अन्य चीजें, उन पर सावधानीपूर्वक नजर रखनी चाहिए, नियमित रूप से तापमान को मानीटर करना चाहिए और कभी कभी मुक्त रूप से पानी छिड़कते रहना चाहिए। कदाचित इस प्रकार के छिड़काव की जरूरत दो तीन महीने में एकबार हो सकती है।

(ख) कोयले के छोटे ढेर, जो कि फर्शों और पट्टियों या ढालों में स्वतः बन जाते हैं और इकट्ठे हो जाते हैं, उन्हें काफी देर तक वहां नहीं रहने देना चाहिए और कम से कम तीन महीने से अधिक तो उन्हें कतई नहीं रहने देना चाहिए। यदि किसी कारणवश समय पर उन्हें हटाना संभव न हो पाए तो उनका तापमान मानीटर करना चाहिए और जब कभी आवश्यक समझा जाए, मुक्त रूप से पानी का छिड़काव करना चाहिए।

24.7. इन सिफारिशों का कार्यान्वयन सरल लगता है और स्पष्टतः ये उन संस्तरों पर अनुप्रयुक्त होती हैं जो कि स्वतः निर्मित तापन के लिए अधिक अतिसंवेदनशील नहीं हैं। मेरी समझ में नहीं आता कि इस गंभीर बाधा के सरल हलों के बावजूद अग्निकांडों की संख्या बढ़ रही है। जैसा कि पैरा 24.5 में उल्लिखित है, श्री भट्टाचार्य ने स्वयं यह स्वीकारा है कि जगन्नाथ की अपेक्षा झींगुरडा में अधिक विस्तृत अग्निकांड हुए थे।

24.8. डा० टी० एन० सिंह ने कहा कि आग की रोकथाम की समस्या केवल कोल इंडिया लिमिटेड की ही नहीं है। यहां तक कि संयुक्त राज्य अमरीका में भी आवरण की उथली गहराई के नीचे मोटे संस्तरों में भी इस प्रकार की समस्याएं विद्यमान हैं। उन्होंने यह स्वीकारा कि हम अभी भी अंतिम हल को खोज निकालने में सक्षम नहीं हो पाए हैं। उन्होंने यह भी कहा कि भारत में कोयला खानों में अग्निकांड दो सौ वर्षों से अधिक समय से होते आ रहे हैं लेकिन यह "इस प्रकार की परिस्थितियों को रोकने में प्रौद्योगिकीय असफलता ही थी।" खानों में अग्निकांडों को रोकने के लिए (यथा-स्वतः निर्मित तापन की घटना का नियंत्रण) अभी भी उचित प्रौद्योगिकी का विकास होना बाकी है। उन्होंने यह भी कहा कि कोयला संस्तरों में संपर्क अग्नि, जो कि स्वतः निर्मित तापन के प्रति अति संवेदनशील नहीं हैं, उसे बुझाने और खोद निकालने की प्रक्रिया से नियंत्रित किया जा सकता है और आवश्य ही यह अकेले ही मोटे निम्न गुणवत्ता वाले संस्तर में (जो कि जगन्नाथ कायला खान की भांति ही स्वतः निर्मित तापन के प्रति अतिसंवेदनशील हैं अग्निकांडों को नियंत्रित करने में प्रभावी उपाय नहीं होंगे।

24.9. डा० टी०एन०सिंह की स्वीकृति के अनुसार के०को० लि० (सी०सी०एल०) ने के०खा०अ० केन्द्र (सी०एम०आर०एस० को,

पट्टियों में कोयले के स्वत: निर्मित तापन को रोकने के उपायों के बारे में खोज करने के लिए लिखा था लेकिन स्पष्टतया इस बारे में कोई ठोस परिणाम सामने नहीं आया है ।

24.10. न्यायालय द्वारा पूछे जाने पर डा० सिंह ने कहा कि खान में अग्नि की समस्या का खंडश: हल निकालना संभव नहीं है । उन्होंने बताया कि बीस सालों से वे तत्कालीन कोयला बोर्ड और बाद में कोल इंडिया को धरातल आच्छादन आप्लावन और सीलबंदी के जरिए अग्निकांडों का सामना करते हुए देख चुके हैं । अभी भी इस मामले में हम सफलता प्राप्त नहीं कर पाए हैं । उन्होंने कुछेक सफल और अंशत: सफल मामलों का हवाला दिया और यह कहा कि किसी भी तरीके से यह प्रतीत नहीं होता कि उनमें से कोई भी तरीका दोषमुक्त और अग्नि-नियंत्रण करने में अचूक है । इस समस्या की व्यापकता को दिखाने के लिए उन्होंने बताया कि अकेले झरिया कोयला क्षेत्र में तीस लाख रुपए मूल्य का उत्कृष्ट कोककर कोयला जल गया था ।

24.11 न्यायालय के समक्ष दिए गए श्री के० पाल के बयान के अनुसार म०खा०सु० (डी०जी०एम०एस०) अग्निकांड को रोकने के उपायों को सुझाने में सक्षम नहीं है । म०खा०सु० (डी०जी०एम०एस०) रिपोर्ट से भी यह ज्ञात होता है कि जगन्नाथ कोयला खान में विद्यमान परिस्थितियों में अग्नि को प्रभावी रूप से नियंत्रित करने को आर्थिक रूप से व्यवहार्य उपाय नहीं है । उन्होंने स्वत: निर्मित तापन के प्रति संवेदनशील और असंवेदनशील कोयले के बीच भिन्नता दिखाई और यह सुझाव दिया कि अग्नि को रोकने के लिए प्रारंभिक चरण में ही तत्काल कदम उठाए जाने चाहिए । उन्होंने अग्नि के उत्पन्न होने की रोकथाम पर अधिक बल दिया और साथ ही साथ इसके लिए एक अग्निशमन समिति का गठन करने की सिफारिश की । तत्कालिक उपाय के रूप में उन्होंने अग्नि के उत्पन्न होने को कम करने/रोकने के निम्न उपाय सुझाए :

(क) सभी टूटे कोयले को हटा दो या असामान्य क्षेत्रों में काम करते समय उसे कतई अनावृत न करो ।

(ख) अग्रभाग का कोयला तीव्रता से निकाला जाए ।

(ग) वायु की पहुंच को रोकने के लिए छोड़े हुए अग्रभागों का प्रतिसारण और उनका रसायन से उपचार ।

(घ) लगातार छिड़काव के लिए स्वचालित स्प्रिंकलर ।

भाग 6

25 तथ्य

25. घटना का विश्लेषण करने से पूर्व संगत तथ्यों को, जो निम्नांकित हैं, सूचीबद्ध करना उपयोगी होगा :--

25.1. दक्षिण खदान के अग्रभाग से गर्म कोयला राख और खंगर बाहर निष्कासित हुए थ ।

25.2. राख और खंगर के छोटे टुकड़े पंखे जैसे आकार के क्षेत्र में फैले हुए थे जिसका बाहरी अवखंड 213 मी० और अर्धव्यास 90 मी० था ।

25.3. खंगर का आकार 6 से०मी० से 8 से०मी० तक था यद्यपि उनमें से एक, जिसका वजन 1.5 कि०ग्रा० था, उसके संबंध में यह दावा किया गया था कि वह 130 मी० की दूरी पर फेंक दिया गया था । मलबा और राख का अधिक बड़ा भाग दक्षिण अग्रभाग के निकट कोयले के ढेर तक था ।

25.4. बाहर निकाली गई राख खदान फर्श से 60 मी० या उससे अधिक ऊंचाई तक उठी हुई थी जैसा कि वह 400 मी० की दूरी से दिखाई पड़ती थी । घटना के समय कोई गोचर वायुवेग नहीं था ।

25.5. राख की मोटाई 25 से०मी० से 0.5 से०मी० तक थी जो कि खदान तल पर सीधे जमा होने वाली राख और वायु में ऊपर उठी राख जो कि बाद में जमा हो गई थी--इन दोनों का सम्मिश्रण थी ।

25.6 वहां कोई सुस्पष्ट ध्वनि नहीं थी यद्यपि सामग्री के बाहर निकालने के बाद वहां "हको" हको के समान एक सुस्पष्ट ध्वनि हो रही थी (मानों किसी गैसीय पदार्थ को अपेक्षाकृत छोटे छेद से बाहर निकाला जा रहा हो) ।

25.7 खदान के लगभग 900 मी० दक्षिणी भाग के अग्रभाग में 1977 से आग लगी हुई थी । इसका फैलाव 270 मी० की लम्बाई तक था और यह टुकड़ों में था । कोई भी गवाह इस संबंध में विशिष्ट मत व्यक्त नहीं कर सका कि आग कितनी भीतर की ओर गहराई तक फैल सकी थी । के० ई० अ० सं० (सी० एफ० आर० आई०) विशेषज्ञ साक्ष्य का मत था कि कोयले की प्रकृति पर विचार करते हुए ऐसा लगता है कि यह 15 मी० भीतर तक पहुंच सकी होगी । म० खा० सु० (डी० जी० एम० एस०) के अनुसार निचली पट्टी में अग्नि 6 मी० 7 मी० तक पहुंच सकी होगी ।

25.8 घटना स्थल पर खदान 52 एम गहरी थी जिसमें दो अनुमानित सुस्पष्ट कोयला पट्टियां थीं जिनका निचला और ऊपरी भाग क्रमश: 6 एम और 10 एम ऊंचा था । कोयले के अग्रभाग का बचा हुआ हिस्सा छोटी ऊंचाई और चौड़ाई की अनियमित पट्टियों का था । उस हिस्से की समस्त ढलान क्षैतिज सहित 38° थी । मखरला मृदा की अतिभारित पट्टी और भूमि 12 मी० ऊंची थी । अतिभारित पट्टी का निम्न भाग कोयला संस्तर के शीर्ष से लगभग 9 मी० और अतिनिम्न पट्टी के निम्न भाग से 80 मी० दूर था । कोई भी स्पष्टतया यह बात बताने की स्थिति में नहीं था कि तल 2 की पट्टियां दुर्घटना से पूर्व नियमित आकार की थीं ।

25.9. दुर्घटना के बाद खदान का समस्त स्थल 20 मी० की दूरी पर स्खलित पाया गया था ।

25.10. अतिनिम्न पट्टी के निम्न भाग से 18 एम दूर तक 4.5 मी० ऊंचा कोयला ढेर था । कोयला ढेर और अतिनिम्न पट्टी के निम्न भाग के बीच का घाटी जैसा भाग काफी मोटी परत की राख, बड़े आकार जले हुए पत्थरों के टुकड़ों और खदान के शीर्ष से नीचे गिरे मखरला गोल पत्थरों से भरा हुआ था ।

25.11. कोयला संस्तर जिसका वाष्पशील द्रव्य (वी० एम०) 24 प्रतिशत था, वह तुलनात्मक रूप से अगैसीय था ।

25.12. दुर्घटना से पहले चार दिनों में 162 मिलीमीटर वर्षा हुई थी । यद्यपि खदान से वर्षा के पानी की निकासी के लिए गोलाईनुमा नाली थी, फिर भी खदान के किनारे के साथ-साथ के प्रमुख भूमि-दरारों के जरिए और भूमि रिसने के कारण पर्याप्त जल की मात्रा अग्नि के संपर्क में आ गई होगी ।

25.13. इस दुर्घटना के एक वर्ष पूर्व, यथा--जून 1980 में कम से कम एक घटना ऐसी हुई थी जिसमें एक छोटी लम्बाई और ऊंचाई में कोयला स्थल के स्खलन के परिणामस्वरूप गर्म राख हवा में 6 मीटर की दूरी और 8 मीटर की ऊंचाई तक उठी थी ।

25.14 घटना के तुरन्त पूर्व 4/5 मी० की ऊंचाई पर दक्षिण स्थल के अग्रभाग में थोड़ी-सी हरकत हुई जिसके बाद स्थल में सामान्य उथल-पुथल हुई थी । इस प्रकार का कोई विशिष्ट साक्ष्य नहीं था कि गर्म राख और सामग्री के बाहर निकलने से पूर्व सहसा दक्षिण स्थल का अग्रभाग सरका था । खदान अग्रभाग की 4/5 मी० की ऊंचाई पर देखी गई थोड़ी-सी प्रारंभिक उथल-पुथल और गर्म सामग्री के निकलने के बीच के समयांतराल का ठीक-ठीक अनुमान लगाना संभव नहीं था, सिवाय इसके कि यह कुछेक सेकेंडों के बीच ही घटित हुआ था ।

25.15. दुर्घटना के 20 दिन पूर्व अतिनिम्न पट्टी के निम्न भाग से 10/12 मी० की दूरी पर खदान फर्श में सुरक्षात्मक के लिए 2500 कि० ग्रा० के अग्निविस्फोटकों का धमाका किया गया था ।

25.16. राख और अंगरों के प्रयोगशाला में किए गए विश्लेषण से यह पता चला कि अग्नि में व्यावहारिक रूप से समस्त कार्बनमय पदार्थ खत्म हो गए थे। बाहर निकली हुई गर्म राख का ठीक-ठीक तापमान अनुमानित करना संभव नहीं था। दुर्घटना में फंसे कामगारों के कपड़े जल/झुलस गए थे और उनकी खाल भी उतर गई थी। चिकित्सा साक्ष्य के अनुसार 55° सें० ग्रे० पर तापित सामग्री यदि एक मिनट के लिए सक्रिय रहे तो दिखाई पड़ने वाले छाले आदि पड़ सकते है।

26. विश्लेषण :

26.1. मैं दुर्घटना की स्थिति का इससे अधिक सही-सही मूल्यांकन करने की स्थिति में नहीं था क्योंकि दुर्घटना स्थल का प्रथम निरीक्षण दुर्घटना के बाद 5-1/2 महीने बीच जाने के पश्चात् 12-11-81 को ही किया गया था, जबकि अधिकांश स्थल साक्ष्य या तो नष्ट हो गया था या गंभीर रूप से अस्त-व्यस्त हो गया था। वास्तव में तब तक खदान में पर्याप्त रूप से पानी भर गया था, इसलिए घटना का विश्लेषण अधिकांश रूप में गवाहों के साक्ष्यों और प्रलेखों के आधार पर ही किया जा सका है।

26.2. निम्न कारण एकल या संयुक्त रूप में घटना के लिए जिम्मेवार रहे होंगे :

1. विस्फोटकों के पुराने आवेश का अचानक दगना :

जैसाकि इस घटना में देखा गया, पर्याप्त उच्च आवेश यथा लगभग 500 कि० ग्रा० से विस्फोटित पदार्थ, 90 मी० तक की लम्बी दूरी तक फेंके जा सकते हैं, लेकिन ऐसी संभाव्यता को निम्न कारणों से नकार दिया गया है :

(क) बाहर फेंके गए पदार्थ में राख की अपेक्षा विस्फोटित पदार्थ, यथा—कोयला और/या मखरला अतिभारित चट्टानें प्रचुर मात्रा में होनी चाहिए थी, जबकि ऐसा नहीं था। इसके अलावा विचारित विस्फोटक धमाके में बाहर फेंकी गई सामग्री का पंखाकार क्षेत्र में बिखराव संभव नहीं है।

(ख) 500 कि० ग्रा० के विस्फोटकों के विस्फोट को बहुत-से गोल, सूराखों तक ही सीमित रहना चाहिए था और जो बिना दगे गोला सूराख बच गए थे और अनदेखे रह गए थे, उनकी गणना करना संभव था।

(ग) गोला सूराखों में यदि एक या दो अनदागे आवेश अनदेखे रह जाते तो तीन वर्ष से जल रही अग्नि से वे बहुत पहले ही विस्फोटित हो जाते। क्योंकि गोला सूराख सामान्यतः पट्टियों के किनारों के नजदीक समूह में होते हैं।

के० ई० अ० सं० (सी० एफ० आर० आई०) और के० खा० अं० (सी० एम० आर० एस०) के द्वारा इस संभावना पर बिल्कुल ही विचार नहीं किया गया है। म० खा० सु० (डी० जी० एम० एस०) और के० को० लि० (सी० सी० एल०) दोनों ने ही इस पर विचार किया है और इस संभावना को नकार दिया है।

2. ज्वलनशील गैसों का विस्फोट :

दो वैज्ञानिक संघटनों, यथा--केन्द्रीय खान अनुसंधान केन्द्र और केन्द्रीय ईंधन अनुसंधान संस्थान ने मेरे अनुरोध पर अपनी राय व्यक्त करते हुए इस प्रकार के कारण की संभावना पर बल दिया जिससे यह दुर्घटना हुई थी। के० खा० अ० के० (सी० एम० आर० एस०) ने पानी गैस ($CO+H_2$) के विस्फोट को अधिक विश्वसनीय माना जबकि के० ई० अ० सं० (सी० एफ० आर० आई०) ने यह विचार व्यक्त किया कि पानी गैस के अलावा ज्वलनशील गैसें, विशेषतया मैथेन गैस ने भी विस्फोट में अपनी भूमिका निभाई होगी। अन्य दो संघटनों ने, यथा--खान सुरक्षा महानिदेशालय (म० खा० सु०) और प्रबंधक वर्ग ने भी पानी गैस विस्फोट की संभाव्यता पर अधिक बल दिया और इस बात को नकारा नहीं कि अन्य कारकों ने भी इस घटना में अपना योगदान किया है।

अनुबंध-1 में दी गई गणना से पानी गैस की अपेक्षित मात्रा का विस्फोट करने के लिए रिक्तता का कम-से-कम घनत्व लगभग 5500 मी०^3 होना चाहिए, यथा—30 मी० × 30 × 6 मी० की रिक्तता। अग्नि क्षेत्र के भीतर ऐसी विशाल रिक्तता की उपलब्धता जिससे पानी गैस और वायु मिश्रण को रोका जा सके, विचारणीय नहीं है और इसे पूर्णतः नकारा का सकता है।

इसके अलावा इतनी अधिक मात्रा में आक्सीजन का प्रवेश अर्थात् वायु समावेश्य नहीं है क्योंकि वायु की आक्सीजन रिक्तता के बाहरी किनारे पर जल रही अग्नि द्वारा उपभोग करली जाएगी। अग्नि द्वारा उत्पन्न ऊर्ध्व वायु प्रवाह भी गर्म गैसों और वायु को वायु में विलीन कर देगा। ऐसा वाष्पशील द्रव्यों के मामले में और भी ठीक है जो कि कोयले में अग्नि की गर्मी से आसवित होंगे।

100 मीटर की दूरी पर भी किसी के द्वारा कोई ऊंचा धमाका नहीं सुना गया था। सुविचारित गैसों के परिमाण के विस्फोट से उच्च परिमाण में धमाका होना चाहिए था।

खदान के पार्श्व में कोयला अग्नि का तापमान 350° सें० से 500° सें० होगा। इस तापमान पर पानी गैस से बनने की संभावना नहीं है। और यदि यह बनेगी भी तो यह बहुत कम मात्रा में होगी।

इसलिए पानी गैस और/या पानी गैस तथा केवल कोयले के अन्य विस्फोटक गैस घटकों के मिश्रण द्वारा हो यह घटना घटी हो इसे पूर्णतः नकारा जा सकता है।

के० ई० अ० सं० (सी० एफ० आर० आई०) ने गैसों के विस्फोट के अलावा अन्य किसी संभावना पर विचार नहीं किया। म० खा० सु० (डी० जी० एम० एस०) रिपोर्ट में यह कहा गया है कि सभी बातें असंभाव्य लगती है और श्री के० पाल ने अपने साक्ष्य में कहा कि पानी गैस का विस्फोट कम-से-कम असंभाव्य दिखाई पड़ता है। के० खा० अ० के० (सी० एम० आर० एस०) की निरास प्रक्रिया द्वारा इसी निष्कर्ष पर पहुंचा, लेकिन के० खा० अ० के० (सी० एम० आर० एस०) या के० ई० अ० सं० (सी० एफ० आर० आई०) ने गैस के अपेक्षित वास्तविक घनत्व की गणना करने की कोशिश नहीं की है। उन्होंने विकसित दबाव की भी गणना नहीं की। मैंने बाद में इस रिपोर्ट में उपलब्ध साक्ष्य के आधार पर वास्तविक गणना करके यह दिखाया है कि यह दबाव लगभग वर्ग इंच होना चाहिए। इस प्रकार का उच्च दबाव गैस से विस्फोट से विकसित नहीं किया जा सकता।

श्री के० पाल ने पानी गैस के अपेक्षित घनत्व पर कुछेक गणनाएँ की है। हालांकि उनके आंकड़े (110मी०^3 से 150 मी०^3) मेरे द्वारा निकाले गए आकड़ों से कम थे, फिर भी उन्होंने अपने साक्ष्य में कहा कि पानी, गैस विस्फोट को स्वीकार करने में मुख्य कठिनाई विवरण में इतने बड़े घनत्व में इसका संघटन था। उन्होंने आगे कहा कि हालांकि हम उचित समय पर इसके भंडारण और निकासी की किसी तरह व्याख्या कर सकते है, लेकिन पानी गैस के संघटन का रसायन विज्ञान हमें इस बात पर विश्वास करने को मजबूर करता है कि इस प्रकार की गैस का संघटन केवल थोड़ी मात्राओं में हुआ होगा उनके द्वारा प्रयोग किए गए "किसी तरह" शब्द को नोट किया जाना चाहिए।

के० को० लि० (सी० सी० एल०) ने अपनी दलील में कुछेक आंकड़े प्रस्तुत करके दावा किया कि पानी गैस की एन० टी० पी० पर 70 से 40^3 तक का घनत्व इस प्रकार का विस्फोट के लिए काफी है। यह आधार कि इस घटना में निर्मुक्त कुल ऊर्जा 150 लाख बी०टी० यू० से कम थी, अपने आप में गलत था जैसा कि अनुबंध-8 में दिखाया गया है, तकनीकी निर्धारण द्वारा कुल निर्मुक्त ऊर्जा 180 लाख बी० टी० यू० परिमाण की थी।

3--बाष्प के द्वारा

खंगर का डेढ़ कि० ग्रा० (3.3 पौंड) का टुकड़ा 103 मीटर (400 फुट) की दूरी पर बाहर गिरा हुआ बताया गया था। टुकड़े को समान भुजाओं वाला घन मानें जिसकी एक भुजा का क्षेत्रफल 70 वर्ग से० यथा --11 वर्ग इंच है तो एक भुजा के कोनों को गोल करने पर उसका क्षेत्रफल 6 वर्ग इंच (38.7 वर्ग से० मी०) आंका जा सकता है।

सूत्र से 9-1/2 फु०² से जहां s= तय की गई दूरी, f= फु/से०² में त्वरण और t= यात्रा का समय है जो कि गैस गणना पर अनुबंध 8 पर आंकलन के हिसाब 1.11 सैकेंड निकाला गया है'

$$f \frac{2s}{t2} \cdot \frac{2 \times 400}{(1.11)^2} = 650 \text{ फुट/सै०}^2$$

= 195 मी०/से०²

P=MP जहां P =अग्रभाग पर पड़ रहा कुल दबाव, m=पौंड में सैकेंड और f=त्वरण है।

= 3.3 × 650

∴P(पौं०/वर्ग इंच) = 357 यानी 350/PSI

जैसा कि पानी गैस विश्लेषण में उल्लिखित है, 250 फुट की दूरी पर 250t सामग्री बाहर निकालने के लिए कुल गतिक ऊर्जा = 179 लाख बी० टी० यू० होगी

∴179 लाख Btu उत्पादित करने के लिए अपेक्षित

भाप का कुल भार = 179 लाख Btu = 59666 पौंड
300

350 Psi पर एक पौंड वाष्प और 800° फा० अधिकतम 2.41 घन फुट घनत्व को घेरता है

∴भाप के लिए अपेक्षित कुल घनत्व 1,43,795 घन फुट चाहिए। राख में रिक्तता को 75 प्रतिशत के सामने मानने पर, अंतरावकाशी रिक्तता में रहनेवाली अपेक्षित भाप का कुल घनत्व 1,91,726 घन फुट (53400 लाख³) होगा पिछले तीन वर्षों से अग्नि 900 फुट (270 मीटर) की ऊंचाई पर प्रज्वलित हो रही थी और इसलिए यह अनुमान लगाया जा सकता है कि राख की मात्रा 150′ × 50′ × 26′ (45 मीटर × 15 मीटर × 7.6 मीटर) के घनत्व से अधिक थी और इससे 1,91,726 घन फुट (53400 लाख³) के कुल अन्तरावकाशी घनत्व की पुष्टि हो जाती है पानी गैस के विपरीत अंतरावकाश में वाष्प की अपेक्षित रिक्तता काफी अच्छी है।

यहां यह संदेह पदा हो सकता है कि केवल 1760 लाख³ (6215 घनफुट) सामग्री बाहर निकली थी जबकि वहां 1,91,726 फुट (53400 लाख³) वाष्प उपलब्ध थी। यह इस तथ्य से स्पष्ट हो जाता है कि एक बार निकास मार्ग बन जाने पर सीमित क्षेत्र के अंदर दबाव जल्दी से कम होने लगा और इसलिए कोयले के ढेर और खदान पार्श्व के निम्नतल के बीच, जो कि निष्कासन बिन्दु के समीप है, राख की मोटाई पश्चाकार क्षेत्रों में की अपेक्षा काफी अधिक थी। इसके अलावा अचानक प्रसरण की प्रक्रिया में पर्याप्त कार्य घर्षण, प्रक्षोभ और ऊष्मा संवहन नष्ट हो जाता है जिसकी मात्रा को इस मामले में मापा नहीं जा सकता। घटना के तुरन्त पश्चात् "रुको, रुको" जैसी ध्वनि सुनाई पड़ने पर पुन: यह ज्ञात होता है कि प्रारंभिक प्रस्फोट के पश्चात् वाष्प के निकलने की संभाव्यता अधिकांशतया निश्चित जान पड़ती है।

संक्षेप में, अधितापित वाष्प का उत्पादन और राख के अंतरावकाश में इसके रुके रहने की कल्पना भली प्रकार से की जा सकती है। सामग्री को बाहर निकालने के लिए वाष्प अपेक्षित गतिज ऊर्जा उत्पन्न कर सकती है और साथ ही जलने की चोटें पहुंचाने के लिए गर्म राख के साथ पर्याप्त ऊष्मा धारण कर सकती है। पूर्ण रूप से नहीं तो कम-से-कम बाहर निकलती वाष्प ने इस घटना के घटित होने में काफी बड़ी भूमिका निभाई होगी।

के० खा० अ० के० (सी० एम० आर० एस०) ने अपनी रिपोर्ट में इस बात का उल्लेख किया है कि 25 से० मी० आकार तक के 1.5 कि० ग्रा० भार के खंगरों का 130 मीटर की दूरी तक फैलना केवल इसी से संभव नहीं था। स्पष्टतया उन्होंने कोई गणना नहीं की और केवल उन्होंने संतृप्त भाप का ही विचार किया है। इसलिए उन्होंने इस बात पर ध्यान नहीं दिया कि इस मामले में 350 पौंड प्रति वर्ग इंच दाब की अपेक्षा की और यह दाब केवल वाष्प से विकसित किया जा सकता था। वास्तव में, उन्होंने यह कहा कि इस प्रक्रिया (यथा-वाष्प) में कोई लपट और ध्वनि नहीं होनी चाहिए जो कि उपलब्ध साक्ष्य से मेल खाती है।

श्री के० पाल ने अपने साक्ष्य में 95 पौंड प्रति वर्ग इंच पर संतृप्त वाष्प के परिकल्पित मामले पर बहस की और इसलिए उनके द्वारा निकाले गए निष्कर्ष इस मामले में लागू नहीं होते।

के० को० लि० (सी० सी० एल०) ने अपने लिखित बयान और साथ ही बहस के दौरान वाष्प के द्वारा उत्पन्न इस प्रस्फोट की संभावना का निवारण कर दिया लेकिन, जैसा कि पहले ही उल्लेख किया गया है, उन्होंने इस बात को महसूस नहीं किया कि इस मामले में 350 पौंड प्रति वर्ग दाब की आवश्यकता थी। उनकी ऊर्जा निर्गुण की गणना भी गलत साबित हुई। अपनी गणनाओं में उन्होंने अधितापित वाष्प का और राख के अंतरावकाशों में इस वाष्प के फंसे रहने पर विचार नहीं किया। इस मामले में अधितापित वाष्प से अपेक्षित उच्च दाब की व्याख्या हो जाती है और अंतरावकाशों में फंसे रहने से यह पता चलता है कि वाष्प का कितना बड़ा घनत्व उनमें संचित किया जा सकता है।

इसके अलावा किसी भी पक्षकार ने "रुको, रुको" ध्वनि की व्याख्या करने की कोशिश नहीं की है। जैसा कि मैंने पहले उल्लेख किया है, ऐसा लगता है जैसे कि कुछ गैसयुक्त सामग्री तुलनात्मक रूप से छोटे रास्ते से बाहर निकल रही थी। यह ध्वनि केवल वाष्प से ही उत्पन्न हो सकती थी।

4--सामग्री के गिरने से

कोयले के शीर्ष निम्न पट्टियों, दोनों में ही आग लगी हुई थी हालांकि शीर्ष पट्टी पर इसका प्रभाव कम था। निचली पट्टी पर अग्नि की गहराई 6 मीटर/7 मीटर/15 मीटर अनुमानित की गई थी। साथ ही अंतिम स्खलन में खदान का मुख्य भाग 20 मीटर की लंबाई में इससे प्रभावित हुआ था। इसलिए, प्रभावी रूप में, आग 60 फुट (20 मीटर) लंबाई में 118 फुट (35.4 मीटर) ऊंचाई में और 20 फुट (6 मीटर) गहराई में लगी हुई थी। इस स्थान में 75 प्रतिशत अंतरावकाश रिक्तता के साथ राख थी।

इन परिस्थितियों में शीर्षस्थ कोयले का ढेर निर्बाध रूप से गिर सकता था जो कि अभी भी 75 प्रतिशत अंतरावकाश रिक्तता के साथ गर्म राख के ऊपर ठोस रूप में था। अनुबंध-10 में यह देखा जा सकता है कि ऐसी समयावधि में विकसित कर्तन प्रतिबल 607 पी एस आई (PSI) होगा जो कि 25 पी एस आई नम कोयला कर्तन प्रतिबल से 24 गुना अधिक है।

इसी अनुबंध से यह भी पता चलेगा कि विकसित गतिज ऊर्जा 60320 लाख फुट पौंड होगी जबकि अपेक्षित गतिक ऊर्जा (EK) 250 फुट की दूरी पर 250 टन सामग्री बाहर निकालने के लिए 1,39,210 लाख फुट पौंड होगी। यह लगभग संभाव्य निर्बाध अवपात द्वारा उत्पन्न ऊर्जा से दुगनी है। यदि अग्नि की लंबाई या गहराई दुगुनी, यानी क्रमश: 120′ (36 मीटर) और 40′ (12 मीटर) कर दी जाए या कोयले की मोटाई बढ़ा दी जाए तो ऊर्जा गणनाएं कमोवेश एक-दूसरे से मेल खा जाएंगी। यहां पर मेरा प्रयोजन आंकड़ों के मिलान का नहीं है बल्कि संभाव्यताओं की ओर इंगित करने का है।

केवल पार्श्व के स्खलन से कुछेक धूल के बादल उठ सकते थे ऐसी कि घटना इससे पहले हो चुकी है, जो कि बहुत थोड़ी मात्रा में

थी। घटना से पूर्व की ठीक ठीक सूचना के अभाव में पार्श्व के स्खलन के प्रभावों की गणना नहीं की जा सकती लेकिन इस संभावना को सहयोगी कारक के रूप में नकारा नहीं जा सकता। प्रस्तुत नक्शों में कोयला पार्श्व का ढलान कोण 38° नापा गया था। सामान्य परिस्थितियों में यह कोण सुरक्षा की दृष्टि से ठीक है। लेकिन यदि अंदर आग जल रही हो तो सुरक्षित ढलान कोण को 18° तक कम किया जा सकता है।

हमें इस पर भी विचार करना है कि यह घटना उस समय ही क्यों घटित हुई हालांकि खदान कोयला पार्श्व में गत तीन वर्षों से आग लगी हुई थी। परिस्थितियों के बहुत से संयोजनों के कारण ऐसा हुआ होगा। 2500 कि० ग्रा० के उच्च विस्फोटकों के भारी धमाके से अग्नि क्षेत्र में कुछ उथल-पुथल हुई होगी।

27. निष्कर्ष

27.1. जैसा कि पहले कहा गया है, यह घटना परिस्थितियों के संयोजन से घटित हुई होगी। इस घटना (गर्म गैस का बाहर निकलना) के घटित होने में जितने भी सहयोगी कारक हैं, उन पर पृथक रूप में विचार न करके सामूहिक रूप में विचार करना है। सुस्पष्टता के लिए समस्त सहयोगी कारकों की तुलना गुणात्मक रूप की अपेक्षा मात्रात्मक रूप में करनी है। बहुचर विश्लेषण में बहुसहयोगी कारकों के कारण ग्राफीय विश्लेषण की अपेक्षा गणितीय विश्लेषण की आवश्यकता पड़ती है।

27.2 इस विश्लेषण से मैं उच्च दाब वाष्प के योगदान पर अधिक बल दूंगा जो कि अग्नि क्षेत्र में सीमित थी और जिससे यह घटना घटी लेकिन अन्य कारकों का योगदान पूर्णतः नकारा नहीं जा सकता। कुछेक खान विस्फोटों के घटित होने के संबंध में पानी-गैस के उत्पन्न होने के बारे में खनन समुदाय द्वारा बिना सोचे-विचारे बात कही गई है लेकिन इस बात के समर्थन के लिये मुश्किल से कोई परीक्षण किया गया है।

27.3. यह घटना अपने प्रकार की ज्ञात घटनाओं में इस देश में, यहां तक विश्व भर में भी अकेली है। समयाभाव के कारण क्षेत्र या प्रयोगशाला परीक्षण नहीं किया जा सका, जब कि यह अनिवार्य है कि इस प्रकार का परीक्षण उच्चाधिकार निकाय की देखरेख में किया जाना चाहिये था।

27.4. अभी तक खनन समुदाय ने इस बात पर ज्यादा ध्यान नहीं दिया है कि ओपन कास्ट खान के कोयला पार्श्व में भभकती हुई आग कितनी गम्भीर परिस्थिति उत्पन्न कर सकती है। यह आवश्यक है कि जैसे ही इन अग्निकांडों का पता चले, इनको तुरन्त बुझाना चाहिये और विशेष रूप से कार्यकारी खानों में यह कार्य तुरन्त करना चाहिये। ऐसा करने के लिये उपयुक्त उपाय उपलब्ध है और यदि आवश्यक हो तो खोज निकाले जा सकते हैं। ओपन कास्ट खान कोयला पार्श्वों में स्वतः निर्मित तापन का विस्फोट अति-वाष्पशील कोयला संस्तरों में एक सामान्य घटना है। कोयला खानों में, चाहे वे ओपन कास्ट हों या भूमिगत हों, उनमें इस प्रकार की सामान्य और खतरनाक घटना को रोकने या खत्म करने के लिये सतत और तत्काल प्रयत्न करने की सिफारिश की जाती है।

27.5. यह विशेष घटना कल्पित नहीं की जा सकती थी और इसलिये किसी संगठन पर उसका दोष नहीं लगाया जा रहा है। लेकिन मैं नहीं मानता कि आग को बुझाने के लिये प्रारंभिक या परवर्तीकरण में उपयुक्त साधन उपलब्ध नहीं थे।

28. वाद-विषयों पर निर्णय :

28.1. न्यायालय की 8-1-82 को हुई बैठक में निम्नलिखित वाद-विषय अंतिम रूप से तैयार किये गये थे—

(i) वे कौन से कारण हैं जिनसे यह दुर्घटना घटी ?

(ii) क्या अधिनियम में उल्लिखित समस्त सुरक्षा उपायों का और इसके अधीन जारी किये गये विनियमों या आदेशों का उचित रूप से प्रबंधकवर्ग द्वारा पालन किया गया है ? क्या ये उपाय पर्याप्त थे ?

(iii) भविष्य में इस प्रकार की दुर्घटना को कैसे रोका जा सकता है ?

28.2. जहां तक वादविषय संख्या (i) का संबंध है, उस पर विस्तृत रूप से बहस इस रिपोर्ट के "विश्लेषण" शीर्षक के अंतर्गत की गई है और "निष्कर्ष" शीर्षक के अंतर्गत प्रथम दो पैराग्राफों में इस सबका सारांश दिया गया है।

28.3. दूसरे वादविषय को दो भागों में बांटा जा सकता है, यथा—(क) क्या कानून में उल्लिखित सुरक्षा उपायों का उचित रूप से पालन किया गया था ? और (ख) क्या ये उपाय पर्याप्त थे ? हमारी जांच के दौरान कानून का ऐसा कोई सुरक्षा उपबन्ध हमारे सामने नहीं आया जिसका उल्लंघन प्रबंधक वर्ग द्वारा किया गया हो और जिसके परिणामस्वरूप यह दुर्घटना हुई हो। वास्तव में, कानून में कोई ऐसा सुरक्षा उपबन्ध नहीं है जिससे दुर्घटना से पूर्व मार्गदर्शी (पायलट) गर्त में विद्यमान परिस्थितियों में अनुप्रयुक्त किया जा सकता। कुछेक पक्षकारों ने कुछेक उल्लंघनों का हवाला दिया था लेकिन उन्हें दुर्घटना के प्रत्यक्ष या अप्रत्यक्ष कारण नहीं कहा जा सकता। म० खा० सु० (डी० जी० एम० एस०) ने अपनी रिपोर्ट या न्यायालय के समक्ष अपने बयान में किसी भी सुरक्षा उपबन्ध के उल्लंघन का जिक्र नहीं किया है।

28.4. कोयला खान विनियम, 1957 के विनियम 190 के उपबंधों की ओर मेरा ध्यान आकर्षित किया गया है जो इस प्रकार है—

"सामान्य सुरक्षा:—कोई भी व्यक्ति असावधानी से या जानबूझकर ऐसा काम नहीं करेगा जिससे खान में जीवन या अंग के लिये खतरा उत्पन्न हो, या असावधानी से या जानबूझकर कोई ऐसा काम करने से नहीं हिचकिचायेगा जो कि समय या उसमें नियुक्त व्यक्तियों की सुरक्षा के लिये आवश्यक हो।"

यह एक बहुप्रयोजनीय उपबन्ध है लेकिन यह यहां लागू नहीं होता, विशेष रूप से इस तथ्य को ध्यान में रखते हुए कि यह घटना अपने आप में अद्वितीय है।

28.5. इस मामले की परिस्थितियों पर लगू होने वाले सुरक्षा उपबन्ध नहीं है। इस रिपोर्ट के परवर्ती भाग में मैंने अपनी सिफारिशों में कुछेक वांछित सुरक्षा पूर्वोपाय शामिल किये है।

28.6. तीसरा वाद विषय दुर्घटना की पुनरावृत्ति की रोकथाम के संबंध में प्रणालियों/साधनों से संबंधित है। "सिफारिशों" के अंतर्गत मेरे द्वारा सुझाये गये वांछित सुरक्षा पूर्वोपायों का यदि उचित रूप से पालन किया गया तो ये पुनरावृत्ति का रोकने के लिये पर्याप्त होंगे।

भाग 7

सिफारिशें

क. भूमिगत खानों के मामले में कोयला खान विनियम 1957 में आग की स्थितियों से निपटने की सविस्तार प्रक्रिया दी गई है। फिर भी ओपनकास्ट खानों के बारे में इसी विनियम में विवरण नहीं दिये गये हैं। इस संबंध में केवल यही विनियम है कि इस प्रकार की आग के लग जाने की घटना को खान-सुरक्षा महा निदेशालय को सूचित करना चाहिये। विनियम में यह स्पष्ट नहीं किया गया है कि इसके बाद खान सुरक्षा महानिदेशालय क्या करे अथवा प्रबंधक वर्ग को अपने आप ही क्या करना चाहिए।

मेरा यह मत है कि जगन्नाथ कोलयरी खान की दुर्घटना के अनुभव से यह आवश्यक है कि कोयला खान विनियम, 1957 में संशोधन किये जाने चाहिएं और स्पष्ट शब्दों में यह व्याख्या की जानी चाहिये कि खान खान सुरक्षा महानिदेशालय तथा प्रबंधक वर्ग को क्या कदम उठाना चाहिये।

मुझे लगता है कि ओपनकास्ट खान में जितनी जल्दी आग देखी जाय, उतनी ही जल्दी उसे खोद देना चाहिये और उसे बुझा देना चाहिये। विकल्प के रूप में अन्य साधन अपनाने चाहिएं ताकि आग आगे बढ़ने से रोकी जा सके और आग को हवा न लगे, उदाहरणस्वरूप आग को आच्छादित कर देना चाहिये। किसी भी दशा में खनन-कार्य इतनी अधिक

गहराई तक नहीं किया जाना चाहिये जैसा कि जगन्नाथ कोयला-खान में हुआ, परिणामस्वरूप प्रबंधक वर्ग ने यह दावा किया कि आग को मानव बल अथवा यांत्रिक शक्ति से बुझाया नहीं जा सकता। इसके बाद इस प्रकार की स्थिति को ओपन कास्ट खान में विकसित नहीं होने देना चाहिए। यदि आग पर नियंत्रण नहीं हो पाता तो उस खदान में आगे का खनन-कार्य बन्द कर देना चाहिये ।

मैं इस महत्व को समझता हूं कि ओपनकास्ट खान में आग बुझाने के किसी भी विशेष उपाय को सभी स्थितियों में लागू नहीं किया जायेगा। लेकिन आग-लगने की प्रारंभिक अवस्था का सामना करते हुए उसकी खुदाई अथवा उसके बुझाव में कोई कठिनाई नहीं होगी ।

मैं इन दो बातों में अन्तर करना चाहता हूं कि पहले अपने आप ही गर्म होने की घटना को बचाया जाय और दूसरे यदि ओपन कास्ट खान में कहीं आग लग गई हो तो उसे बुझाया जाये । कोयले में अपने आप हुए गर्म होने की स्थिति अपनी जैसी है और यह स्थिति अब भी कोयलाउद्योग में प्रारंभ से ही तंग कर रही है । यह सिफारिश की जाती है कि इस मामले के सभी पक्षों की जांच करने के लिये उच्च शक्ति के निकाय की स्थापना की जाय । इस निकाय के अध्यक्ष खान सुरक्षा महा-निदेशक बनाये जायें और उन्हें अनुसंधान संगठनों तथा खान आपरेटरों की सहायता दिलाई जाये ।

ख आपनकास्ट कार्य में आग से जो खतरा पैदा हुआ, उसे देखते हुए यह वांछनीय है कि अध्ययन के लिये एक परियोजना तैयार की जाय । यह माना जाता है कि खान-सुरक्षा महानिदेशालय में अनुसंधान और विकास एकक का एक केन्द्र है । यह लाभप्रद होगा यदि इस अनुसंधान और विकास एकक को सशक्त कर दिया जाय ताकि इस समस्या के विभिन्न पक्षों को लेकर विशद् अध्ययन किया जा सके और उचित रूप से कोयला उद्योग को परामर्श दिया जा सके । सरकार इस प्रयोजन के लिये आवश्यक सुविधायें उपलब्ध करा सकती है ।

यह टिप्पणी की जाती है कि यद्यपी जगन्नाथ कोयला खान में कतिपय निरीक्षण किये गये थे फिर भी ऐसे निरीक्षणों की बारंबारता पर्याप्त नहीं है । वास्तव में, जैसा कि मैं समझता हूं कि खानों के निरीक्षणों की संख्या की अपर्याप्तता सामान्य नियम हो गया है और काफी संख्या में खानों का बिल्कुल ही निरीक्षण नहीं किया जाता है । ऐसा लगता है कि खनिज उद्योग की वृद्धि को देखते हुए खान-सुरक्षा महानिदेशालय ने निरीक्षणवर्ग के स्टाफ को नहीं बढ़ाया है लेकिन स्वीकृत पद भी खाली पड़े हैं क्योंकि अधिकारियों की भर्ती की कठिनाइयां हैं । मेरा सुझाव है कि सरकार इस मामले की जांच करे और कमी को मिटाने के लिये आवश्यक कदम उठाये और खान-सुरक्षा महानिदेशालय के स्टाफ को बढ़ाने के लिये उपाय करे क्योंकि यह महानिदेशालय खानों की सुरक्षा के लिये सबसे महत्वपूर्ण संस्था है ।

ग. जांच के दौरान मुझे कतिपय तथ्यों का पता लगा जो प्रबंधक वर्ग के लिये पूरक नहीं है । इस खदान में उपयुक्त पीने का पानी का प्रबन्ध भी नहीं था । के० को० लि० (सी० सी० एल०) के पास ऐसी कोई प्रणाली नहीं है जिसमें ठेकेदार के कामगारों को सुरक्षा के मामलों में प्रशिक्षित किया जाये । इस विशेष मामले में ठेकेदार के कामगारों को प्रबन्धक वर्ग द्वारा सुरक्षा जूते और हेलमेट की सप्लाई नहीं की गई थी । जगन्नाथ कोयला खान में अलग से अपना कोई औषधालय अथवा एम्बुलेंस भी नहीं थी । गंभीर हताहत जीप और ट्रक से के० को० लि० (सी० सी० एल०) के अस्पताल को ले जाये गये और यह अस्पताल दुर्घटना स्थल से 8 किलोमीटर दूर था ।

मैं यह सुझाव देना चाहूंगा कि के० को० लि० (सी० सी० एल०) जैसी पब्लिक सेक्टर की संस्था को ऐसे मामलों में एक आदर्श स्थापित करना चाहिये । पर्याप्त पीने के पानी की सुविधा उपलब्ध करानी चाहिये। प्रथम चिकित्सा साधन और एम्बुलेंस खदान के समीप ही उपलब्ध होनी चाहिये और सभी कामगारों को सुरक्षा जूता तथा हैलमेट सप्लाई किये जाने चाहिये तथा सभी कामगारों को सुरक्षा के बारे में प्रशिक्षित किया जाना चाहिये चाहे वे प्रबंधकों अथवा ठेकेदार द्वारा नियुक्त क्यों न किये गये हों ।

व्यय की वसूली

मेरे निर्णय के अनुसार यह कहना उपयुक्त है कि जगन्नाथ कोयला खान में 24 जून 1981 को जो दुर्घटना हुई थी, उसके लिये प्रबंधवर्ग उत्तरदायी नहीं ठहराया जा सकता, मुझे खान नियमावली, 1955 के नियम 22(1) के उपबंधों के अन्तर्गत यह जारी करने का निदेश नहीं है कि इस जांच-न्यायालय के व्यय की वसूली कराई जाये ।

अभिस्वीकृति

इससे पूर्व मैं अपने निर्णय का उल्लेख करूं मैं दोनों निर्धारकों के प्रति हार्दिक धन्यवाद व्यक्त करना चाहता हूं । सत्यता की खोज में हमारे उद्देश्य और परिश्रम तथा निष्पक्ष रूप से उपलब्ध साक्ष्य को ठीक समझने मुझे इन दोनों निर्धारकों की अधिक सहायता एवं सहयोग मिला है । इन दोनों निर्धारकों ने अपने निर्णय को प्रभावित कराने के लिये शुद्ध रूप से तथ्यपरक और वैज्ञानिक विचार के अतिरिक्त कुछ अन्य विचार नहीं आने दिया है। तकनीकी निर्धारक ने यह प्रवृत्ति अपनाई है तथा अपने कार्य में कठिनाई का सामना किया है और उसमें रूचि दिखाई है । यह तथ्य उनके कई आकलन से स्पष्टसिद्ध है जो उन्होंने वैज्ञानिक और तथ्यपरक ढंग से गंभीर प्रयत्न किया है । मुझे इन दोनों निर्धारकों का न्यायालय की कार्यवाही और इस रिपोर्ट के तैयार करने में पूरा सहयोग मिला है।

केन्द्रीय खनन अनुसंधान केन्द्र (सी० एम० आर० एम०) और केन्द्रीय ईंधन अनुसंधान संस्थान (सी० एफ० आर० आई०) ने मेरे निवेदन के उत्तर में अतिशीघ्र कार्यवाई की है। उन्होंने इस दुर्घटना की जांच कराने में सच्चे प्रयत्न किये हैं और अच्छा कार्य किया है । मैं उन्हें धन्यवाद देता हूं कि उन्होंने न्यायालय की कार्यवाही के दौरान उठाये गये विभिन्न मुद्दों पर अपनी विशेषज्ञता पूर्ण सलाह दी है ।

मैं उन दलों के प्रतिनिधियों को भी धन्यवाद देता हूं जिन्होंने न्यायालय की कार्यवाही में भाग लिया है और अपनी सहायता रचनात्मक प्रवृत्ति और विचारोत्तेजक दलीलों से योगदान किया है । यहां विशेष रूप से केन्द्रीय कोयला क्षेत्र लिमिटेड (सी० सी० एल०) के प्रतिनिधियों का उल्लेख करना चाहूंगा जिन्होंने अन्य कई प्रकार से सहायता की है उन्होंने पुस्तकों, साहित्य और रिपोर्ट उपलब्ध कराने में सहायता की है तथा उन्होंने तकनीकी निर्धारक जैसा भी चाहते रहे, उसके अनुसार कई आदेशों का विश्लेषण कराया है ।

मैं श्रीमती सरिता दास, सचिव, रेवेन्यू बोर्ड की सहायता के प्रति आभार व्यक्त करता हूं जो इस जांच-न्यायालय की सचिव का भी काम करती रही ।

खा० सु० म० (डी० जी० एम० एल०) अपने कार्य और कर्त्तव्यों की दृष्टि से इस प्रकार की दुर्घटनाओं और उनकी जांच के मामलों से गंभीर रूप से सम्बद्ध हैं । मेरी यह परम् इच्छा है कि इस दुर्घटना की जांच की विधि की प्रशंसा करूं और श्री के० पाल, निदेशक, खान सुरक्षा, भुवनेश्वर के प्रति आभार व्यक्त करूं जिन्होंने इस कार्य में सहायता की है ।

ह०/-

16-7-82

(के० रामामूर्ति)

अध्यक्ष जांच न्यायालय

हम पूर्णतया उन सभी टीका-टिप्पणियों, निष्कर्षों और सिफारिशों के प्रति सहमत है जो इस रिपोर्ट में दी गई है।

ह०/- ह०/-

16-7-82

(दामोदर पाण्डे), निर्धारक (एस बी घोष) निर्धारक

जांच-न्यायालय जांच-न्यायालय

अनुबंध 1

जांच के समय जिरह किए गए गवाहों की सूची

के० को०लि० (सी०सी० एल०) की ओर से

1. श्री ए० पाणि, महा-प्रबन्धक
2. श्री ए० के० त्रिपाठी, परियोजना अधिकारी और एजेन्ट
3. श्री एस० के० डे० प्रबन्धक (ड्यूटी पर)
4. श्री ए० के० नाथ कसुरक्षा अधिकारी और कार्यकारी प्रबन्धक
5. श्री बी० के० लामा, अधिशासी अभियन्ता
6. श्री एस० एस० दास, ओवरसीन
7. श्री रवि साहू, सिविल सुपरवाइजर
8. श्री यू० सी० पटनायक खनन सरदार
9. श्री गोकुला साहू, यांत्रिक फिटर
10. श्री महेन्द्र सिंह, ठकेदार
11. श्रीमती सुकुरमणि, ठकेदार, की कामगार
12. श्रीमती जानकी गरदई, ठेकेदार की कामागर
13. डा० एस० के० मोहन्ती, चिकित्सा अधिकारी

ख—खा० को०खा०सं० (डी०सी०एम०एस०) की ओर से

1. श्री पी० सी० दास, ब्लास्टिंग फोरमैन

न्यायालय के गवाह

1. श्री चेतन बेहेरा, ठेकेदार का कामगार
2. श्री डी० के० भट्टाचार्य, वैज्ञानिक के० ई० अ० सं० (सी० एम० आर० आई०)
3. डा० टी० एन० सिंह, वैज्ञानिक के० खा० अ० सं० (सी० एम० आर० एस०)
4. श्री के० पाल निदेशक खान सुरक्षा

अनुबंध-2

जगन्नाथ कोयला खान की दुर्घटनाओं के कारणों का पता लगाने के लिए केन्द्रीय खान अनुसंधान केन्द्र सी०एम० आर०एस० के अध्ययन दल की जांच रिपोर्ट

निदेशक, के० खा० अ० के० (सी० एम० आर० एस०) धनबाद को संबोधित पत्र सं० एम-96/81-84/08 जनरल दिनांक कटक, 20 नवम्बर, 1981 के संदर्भ के अनुसार के० खा० अ० के० (सी० एम० आर० एस०) के वैज्ञानिकों का दल 24-12-81 को जगन्नाथ कोयला खान देखने गया। इस अध्ययन दल के सदस्य डा० टी० एन० सिंह, डा० एम० सी० बनर्जी और श्री बी० डी० बानिगा थे। इस निरीक्षण का उद्देश्य यह था कि खान के मार्गदर्शी (पायलट) खदान में 24-6-81 को जो दुर्घटना हुई थी, उसके संभाव्य कारण की जांच की जाय। इस दल ने अपने निरीक्षण के दिनों में खा० सु० म० (डी० जी० एम० एम०) के जांच अधिकारी श्री पाल और प्रबंधक (केन्द्रीय कोयला क्षेत्र लिमिटेड) द्वारा प्रस्तुत दुर्घटना की रिपोर्टों को देखकर संभाव्य कारण/कारणों का पता लगाने का प्रयत्न किया। इस निरीक्षण में जिन कर्मचारियों एवं अधिकारियों ने भाग लिया व इस प्रकार हैं:—

1. खान सुरक्षा महानिदेशक, भुवनेश्वर क्षेत्र, भुवनेश्वर श्री के० पाल, निदेशक, खान सुरक्षा।
2. सर्वश्री केन्द्रीय कोयला क्षेत्र लिमिटेड, तालचेर क्षेत्र
   (क) श्री रवीन्द्र सिंह, महा-प्रबंधक तालचेर।
   (ख) श्री एस० महन्त एजेन्ट, जगन्नाथ कोयला खान।
   (ग) श्री ए० के० त्रिपाठी, खान अधीक्षक, जगन्नाथ।
   (घ) डा० मोहन्ती, सर्जन विशेषज्ञ क्षेत्रीय अस्पताल, तालचेर।
3. सर्वश्री केन्द्रीय कोयला क्षेत्र लि० रांची
   श्री सी०आर० दास, सी०एम०डी० के तकनीकी सचिव
4. सर्वश्री सी०एम०पी०डी०आई०, भाग-1-3
   श्री जे० के० सिन्हा, ज्येष्ठ भू-वैज्ञानिक
5. के०ई०अं०सं० (सी०एफ०आर० आई डिगवाडीह
   श्री के० डी० भट्टाचार्य, वैज्ञानिक

स्थिति-तंत्र

24 जून 1981 को जो दुर्घटना हुई थी, उसकी जांच 24 दिसम्बर, 1981 से एक दल द्वारा कराई गई। (यह जांच दुर्घटना के ठीक छह महीने बाद कराई गई।) इस अवधि में दुर्घटना स्थल में परिवर्तन हो गया जो इस प्रकार है:—

(i) खदान में बाढ़ आ गई और यह बताया जाता है कि खदान के तल में 4.5 मीटर गहराई में पानी भर गया।

(ii) जिस स्थल पर समस्या उत्पन्न हुई थी, उस स्खलित क्षेत्र में नहीं पहुंच सकते थे और बाद में जो वर्षा हुई, उससे उस स्थल के रूप में परिवर्तन आ गया,

(iii) धूल, राख, गिरे हुए पदार्थ और छितराए टुकड़े आदि बह गए।

(iv) भ्रंश, वर्षा और बाद के स्खलन के कारण दरारों का मल, छिद्र और खदान के किनारे आदि तितर-बितर हो गए। (आग की स्थिति ने अलग-अलग पट्टियों अथवा खण्डों में बदल लिया)

सारांश में यह कहा जा सकता है कि इस अवधि में इस स्थल में तात्विक परिवर्तन हो गए और प्रत्यक्ष साक्ष्य समाप्त हो गए अतः जो भी सूचनाएं मिली तथा जो भी अनुमान लगाए जा सके, उसी के आधार पर रिपोर्ट तैयार की गई है।

दुर्घटना के विशेष लक्षण

(क) स्खलित ब्लाक से 90 मीटर की दूरी पर भी कामगारों को जलने में चोटें आई

(ख) कामगारों की स्थिति को देखते हुए उनके जलने की चोटें 5% से लगभग 100% तक रही,

(ग) खदान तल के ताप के बढ़ जाने से हताहतों की खाल ग्लोव (प्लेट) के समान निकल आई और इससे यह विदित होता है कि वे बिलकुल ही भुन गए थे,

(घ) कतिपय हताहतों के कपड़े टुकड़ों (प्लेट) में झुलस/जल गए थे,

(ङ) हताहतो के शरीर भूरी राख से पूर्णतया आच्छादित हो गए थे और कतिपय हताहतो के बाल झुलस गए थे।

(च) यह बताया जाता है कि किसी भी हताहत को कुण्ठित औजार से चोट नहीं लगी थी अथवा उनके रक्त प्रवाह नहीं हुआ था,

दुर्घटना के स्थल के विशेष लक्षण:

(क) यह बताया जाता है कि एफ 4—एफ 4 भ्रंश तल के साथ लगभग 800 मन मलवा/पिंड का स्खलन हुआ था।

(ख) आग के अलग अलग कई खंड (जिनमें लपटें आ रही थी) विशेषतया दक्षिणी भ्रंश की निचली पट्टियों में देखे गये।

(ग) स्खलित पदार्थ एक ढेर के आकार का बन गया था और

(i) उसने कोयला-ढेर को नहीं कुचला जो 4–5 मीटर ऊंचा था और जो कर्षण लाईन द्वारा जमा हो गया था।

(ii) स्खलित पदार्थ के उलटने के संकेत नहीं दिखाई दिए थे

(iii) कोई प्रवाह नहीं दिखाई दिया अथवा कोक का निष्कासन भी नहीं हुआ जिनमें से टुकड़े आदि बाहर निकल सके।

(घ) इस स्खलन के बाद भूरे अथवा काले रंग के धूल के बादल उठे जो 8–10 मिनट में ही समाप्त हो गए।

(ङ) अवपात ने पंखे का रूप ले लिया। उसके बायें और दाहिने किनारे 90 मीटर के थे और उसका आधार 210 मीटर का था। यह अवपात उत्तरी भ्रंश एफ-2 एफ-3 के किनारे हुआ।

(च) यह बताया जाता है कि इस अवपात में निम्नलिखित लक्षण थे :—

(i) कोयला ढेर के दक्षिण में राख के ऊपर खंगर और टुकड़े जमा हो गए थे।

(ii) कोयला ढेर के आगे—टुकड़े और खंगर छितरा गए थे और इनके ऊपर 0.5 से०मी० से 12 से०मी० मोटाई की राख की परत बन गई थी।

(iii) 6.25 से०मी० आकार और 1.5 किलोग्राम भार तक की राख और खंगर तितर-बितर हो गए थे जो दूसरे दिन तक गर्म बने रहे।

(iv) अवपात राख मिले जुले आकार की थी, उसका रंग भूरा था और वह मिश्रित थी तथा उसमें झुलसे हुए कोयला-राख की गोलियां नहीं थी।

(छ) मार्गदर्शी (पायलट) खदान का दक्षिणी किनारा 15 से 20° शीर्ष के भ्रंश तल के लगभग साथ था और 120 मीटर प्रक्षेप का जबकि खदान का ढाल उर्ध्वाधर से 50 से 53 था।

(ज) भ्रंश तल के साथ लगभग 15 मीटर से 20 मीटर तले का कोयला शेष रह गया। संवेदनशील भ्रंश अथवा उत्क्षेपण के कारण कुचले और बिखरे हुए कोयले में जगह जगह आग लग गई थी।

घटना का विश्लेषण :

(i) पिंड का स्खलन :

दो चश्मदीद गवाहों ने इस समस्या के प्रथम संकेत के बारे में रिपोर्ट की है जिन्होंने अधिभार के स्खलन को देखा था। इस प्रकार के स्खलन इसके पूर्व भी हुए थे और इस प्रकार का एक स्खलन का अभिलेख जून, 80 में भी किया गया था। इसका प्रभाव पिछले भाग में 6 से 10 मीटर तक ही हुआ। यह बताया गया कि वर्तमान मामला में भूरे और/या काले से धूल के बादल 6000 मीटर² मीटर के क्षेत्र में छा गए थे। धूल 8–10 मिनट में ही बैठ गई जबकि लगभग 800 टन भार के पिण्ड के साथ 20 मीटर चौड़ी पट्टी का स्खलन हुआ। स्खलित पिण्ड कोयला-ढेर के ऊपर गिरा और सर्पेम गोलाश्म भी ढेर तक लुढ़क गए।

मात्रा/स्खलन की सीमा और उसका परास

कोयला संस्तर 3 और संस्तर 2 के एक भाग में अलग अलग टुकड़ों में आग लग गई थी। कोयला में 30–35% राख थी। यदि यह मान लिया जाय कि संस्तर 3 और संस्तर 2 का एक भाग (18 मीटर) ही पूर्णतया जल गया हो तो कुल ऊंचाई केवल 20 मीटर आती है। राख और खंगर जल जाने के बाद मूल आयतन का एक तिहाई भाग अर्थात् 8 समान भाग घेर लेंगे जो अपनी शिथिल प्रकृति के कारण अपेक्षाकृत अधिक आयतन घेर लेंगे। इस प्रकार आगे दी गई सीमा शर्तों के अधीन लगभग 16 मीटर स्खलन की आशा की जाती है :--

(i) खुली राख और खंगरों के उछाल के प्रभावों के अधीन 16 मीटर का स्खलन हुआ।

(ii) राख/खंगर पूर्णतया बैठ गए और इकट्ठे हो गए तथा 16 मीटर ऊंचाई से निर्बाध अवपात हुआ।

दूसरा मामला उन गिरने वाले टुकड़ों की तीव्र गति के लिये सबसे अधिक खराब है जो उस राख और खंगरों के लिये प्रक्षेपित गति दे सकते हैं जो खदान तल में इधर-उधर तितर बितर हो गए थे। जमी हुई गर्म धूल के ऊपर किसी भी स्खलित और स्थित होने वाले पिंड की अधिकतम तीव्र गति केवल 18 मीटर प्रति सेकिण्ड होती है। किसी भी खंगर को अपने प्रस्फोट के लिए इस प्रारंभिक तीव्र गति को प्रदान किया जा सकता है। प्रक्षेपण का अधिकतम उछाल 45° तक संभव है। जिसके अनुसार यह केवल 33 मीटर तक हो सकता है। इस सीमा परिधि से बाहर किसी भी छितराव को साधारण स्खलन और प्रक्षेपित निष्कासन से संगत नहीं ठहराया जा सकता। भ्रंश (70°) के उत्क्षेप और उसके समीप सपाट निर्माण को ध्यान में रखते हुए प्रक्षेपण का सबसे अधिक संभव कोण 20° है और इस प्रकार परास केवल 21 मीटर तक आता है। गवाहों द्वारा इस मूल्य की पुष्टि की गई है जिन्होंने कोयला ढेर तक उबड़-खाबड़ मार्ग बनाया है जो रोक दीवारों से 18 मीटर दूर था। इस प्रकार यह घटना अधिभार के स्खलन से ही स्पष्ट नहीं हो सका और जले हुए कोयले के संस्तर पर इसकी जोरदार क्रिया की भी व्याख्या नहीं हो सकी। 90 मीटर के परास में छितराने के लिये बल अथवा तीव्र गति की आवश्यकता होती है जो स्खलन से अधिक होती है। यह बल इस प्रकार हो सकते थे।

गैस विस्फोट :

(क) 120 मीटर उठाव की इस ऊंचाई के भ्रंश तल से कई मामलों में मैथेन गैस के स्रोत रहे हैं यदि इस भ्रंश को अस्त-व्यस्त कर दिया जाए अथवा उद्घाटित कर दिया जाए तो ऐसा भ्रंश अधिक गैस का निष्कासन कर सकेगा जो अनुकूल परिस्थिति के अन्तर्गत विस्फोट की ओर उन्मुख होगा।

(ख) कोयले की टुकड़ों में जलने के आसवन उत्पाद में ज्वलनशील गैसों और मैथेन हो सकती है जो ज्वलनशीलता की सीमा से कहीं कम हो सकती हैं। विभिन्न झिल्लियों में बनी हुई उन गैसों के निकासी के रूप में काम में आने वाला भ्रंश खुली आग को बढ़ा सकता है जहां अलग करने वाली दीवार अधिक पतली हो जाती है।

मौजूदा मामले में खदान के किनारे के साथ पाया गया भ्रंश आग और/अथवा तत्पश्चात् इस स्खलन के अस्त-व्यस्त होने की संभावना है जो निम्नलिखित बातों की ओर अग्रसर होगा :--

(क) यदि आग भ्रंश का उद्घाटन करती है तो गैस निचले तले से निकल सकती है और इस प्रकार इसका विस्फोट राख और खंगर को निष्कासित करेगा।

(ख) यदि स्खलन ने भ्रंश का उद्घाटन किया है तो गैसें अपेक्षाकृत उच्च स्तर से निकल सकती है। इस प्रकार इसके विस्फोट से खुली ज्वालाएं और नाम मात्र की उग्रता हो सकती है।

फिर भी यह संभावना दूर की लगती है क्योंकि संस्तर के गैसयुक्त होने का कोई भी इतिहास/अभिलेख नहीं रहे। यदि भ्रंश के बारे में यह अनुमान किया जाए कि वह गैस का पोषक है तो इसकी आज भी खोज हो सकती है। आसवन उत्पाद के रूप में गैस की संभाव्यता और अपेक्षाकृत उच्च स्तर पर इसके संचयन की संभावना है लेकिन इसके विस्फोट के कारण निचले तले से राख और खंगरों के निष्कासन की संभावना नहीं है।

3. कोयला धूल विस्फोट :

भ्रंश तलों का संबंध संवेदनशील भ्रंशों, पार्श्व क्षेप गोल स्थानी और श्रेणियां से है जिनसे कोयला धूल हो सकती है। आग और शुष्क मौसम के प्रभाव के अधीन धूल में उच्च परिक्षेपण हो सकता है। स्खलन भ्रंशतल का उद्घाटन कर सकता है जहां धूल जमा हो गई थी जिसके फलस्वरूप कोयला धूल बादल बन सकते हैं। जलते हुए कोयले की उपस्थिति से इस धूल का विस्फोट प्रारंभ हो सकता है जो उग्र बल, उच्च तापमान और उच्च ताप निकास की ओर उन्मुख कर सकता है। फिर भी इस दशा के अधीन कोयला धूल विस्फोट अन्य बातों के साथ-साथ इस घटना के देखे गए लक्षणों के प्रति संतोष व्यक्त नहीं करता।

(क) धूल में हुए कोयले और राख के बुलबुले आदि के निर्माणों का कोई भी चिन्ह दिखाई नहीं देते।

(ख) कोयला धूल के साथ विस्फोट की उग्रता अधिक भयंकर है जिसकी अपेक्षा करने की कोई संभावना नहीं थी।

(ग) आग के तल से छितराए हुए टुकड़ों और राख की संगतता इससे सिद्ध नहीं होती।

(घ) अवपात कोयले की काली राख से अधिकांशतया आच्छादित होना चाहिए।

इसमें से कोई भी लक्षण उन विभिन्न स्रोतों द्वारा प्रस्तुत साक्ष्य से समर्थित नहीं होते।

दूसरी और तीसरी संभावनाएं अलग-अलग टुकड़ों में आग की उपस्थिति और भ्रंश तलों की समीपता से समझी जा सकती है। यह दोनों रूप-भेद 1977 से आज तक विद्यमान हैं और यह घटना अपनी जैसी ही है। इसके लिए कुछ अन्य कारण खोजने होंगे जो इस स्थिति को अधिक स्पष्ट कर सकेंगे। इस संबंध में आगे दी गई बातें संगत प्रतीत होती हैं।

(क) वर्षा--15 से 24 जून, 1981 की अवधि में भारी बौछार हुई और विशेषकर 20, 21 और 23 जून, 1981 को भारी वर्षा हुई।

(ख) स्खलित क्षेत्र के बिल्कुल ही समीप स्थान के सतह और छिद्र पर दरारें मौजूद थी।

(i) (ऐसा लगता है कि आग, भ्रंश, वर्षा और दरारों/छिद्रों की उपस्थिति ने मिल-जुलकर इस प्रकार की घटना में योगदान किया है।

इन परिस्थितियों में इस प्रकार की दुर्घटना होने की संभावना है।

(क) द्रव चालित उत्तेजना :

कुचले हुए पारगम्य कोयला संस्तर के द्रवचालित उत्तेजन के बारे में यह कहा जाता है कि गैस का बाह्य प्रवाह 20 गुना तक हो गया होगा वर्षा-जिसमें गत 20 दिनों की अवधि में भारी वर्षा भी शामिल है, से छिद्रों अथवा दरारों में पानी के अन्त प्रवाह से गैस के बाह्य प्रवाह को उत्तेजना मिली होगी। यह गैस भ्रंश तल में से निकली होगी और इसका उस स्थान पर विस्फोट हुआ होगा जहां आग भ्रंश के अन्तर्विरोधन से गहराई में घुस गई होगी और इससे यह घटना घटी है।

भ्रंश के समीप की यह प्रक्रिया, संवेदनशील भ्रंश अथवा समीपी खुले हुए भ्रंश तल जैसे सुदूर कारण है। गैस--उत्पाद अपेक्षाकृत अधिक स्वतंत्रता से ऊपर की ओर बढ़ सकते है और वे आग के स्थल की ओर नहीं जा सकते जहां राख और खपर जाते हुए बताए गए है। इस प्रकार इस कारण से विस्फोट का होना भी रद्द कर दिया गया है।

(ख) वाष्प के कारण प्रस्फोट :

वर्षा का पानी दरारों अथवा छिद्रों में से होकर बहा है जिसके कारण भ्रंश तल पारगम्य हो सकता है, क्योंकि भ्रंश तल में साधारणतया अधिक पारगम्यता होती है। पानी का तापमान अलग-अलग टुकड़ों में आग के होने से धीरे-धीरे बढ़ सकता है और यह स्थिति अलग-अलग क्षितिजों में हो सकती है। इसके बाद वर्षा के पानी के अन्त-प्रवाह से चैनल में अवरोध उत्पन्न हो सकता है। जब पानी वाष्प में बदलने लगे तो इस प्रकार पानी के आयतन की अपेक्षा गैस का आयतन सत्रह सौ गुना हो सकता है।

यह वाष्प खदान के मुख की ओर बढ़ सकती है जहां भ्रंशतल और जले हुए किनार के बीच की परत पतली होती जाती है। इसे आगे दिए गए तरीके में से किसी एक भी तरीके से विस्फोट-क्रिया उत्पन्न हो सकती है।

(1) वाष्प में उपलब्ध यांत्रिक बल से यांत्रिक रूप में राख और खंगल निष्कासित हो सकते है और इसका बाह्य प्रवाह हो सकता है।

इस प्रक्रिया से ज्यादा और ऊंची आवाज नहीं होनी चाहिए और यह प्रक्रिया अपेक्षाकृत कम शक्तिशाली तथा उग्र नहीं होनी चाहिए क्योंकि खंडित/भ्रंशित क्षेत्र के किनारे बहुत अधिक दबाव के विकास की संभावना नहीं है। इसलिये इस प्रक्रिया से 25 सेंटीमीटर तक के आकार वाले 1.5 कि० ग्रा० के भार के खपर का 130 मीटर की दूरी तक छितराना संभव नहीं है।

(2) गर्म पानी अथवा वाष्प, जले हुए कोयले पर से गुजर सकती है यह कोयला भ्रंश तल और आग के स्थल के साथ पतला हो जाता है। यह गैस में परिवर्तित हो सकता है। इस गैस की अल्प मात्रा विस्तृत विस्फोट--सीमा (5 70%) के साथ उस गहरे गर्त में विस्फोटित हो सकती है जो आग से निर्मित हुआ है और गवाहों ने यह रिपोर्ट की है कि इससे पंखे के आकार के क्षेत्र में जली हुई राख और खपर का छितराना प्रारम्भ हुआ है।

इस मामले में धुएं का रंग भूरा (राख रंग के समान) होगा, उग्रता अपेक्षाकृत कम गंभीर होगी लेकिन पहले से ही गर्म राख के तल में कुल मिलाकर तापमान बढ़ेगा क्योंकि इसका उष्मापेक्षी प्रतिक्रिया होगी। इससे उग्रता, धुआं अथवा आवाज की अधिकता के बिना 90 मीटर की दूरी पर भी हताहतों का जनना संगत प्रतीत होता है।

इस प्रकार खुली खदान में पानी गैस के विस्फोट की घटना अपनी जैसी ही है और हम किसी भी पुरानी घटना को खोजने में असमर्थ हैं लेकिन परिस्थिति जन्य साक्ष्य से इस मामले में इस घटना पर विचार करना इस घटना की एक संभावना है।

बी०डी०बारिका,	टी.एन. सिंह	एस० सी० बनर्जी
वैज्ञानिक--ई	वैज्ञानिक--ई	वैज्ञानिक--ई
4-1-1982	4-1-1982	4-1-1982
	प्रतिलिपि	

अनुबन्ध--3

24-6-81 को जगन्नाथ कोयला खान, जिला ढेंकानाल, उड़ीसा में हुई दुर्घटना के कारणों की जांच की रिपोर्ट:--

(भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या एन-11012/10/81-एम०आई० दिनांक 1 सितम्बर 1981 द्वारा निर्मित न्यायालय द्वारा अधिकृत किया गया।

5 जनवरी, 1982

केन्द्रीय ईंधन अनुसंधान संस्थान
डाकघर--एफ आर आई, जिला धनबाद, बिहार
पिन--828108

आमुख

भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या 11012/10/81 एम०आई० दिनांक 1-9-81 द्वारा जिला ढेंकानाल, उड़ीसा राज्य में स्थित जगन्नाथ कोयला खान में 24 जून 1981, को घटित दुर्घटना के कारणों

का पता लगाने के लिए नियुक्त जांच न्यायालय के निवेदन पर केन्द्रीय ईंधन अनुसंधान संस्थान ने वरिष्ठ वैज्ञानिकों में से एक वैज्ञानिक तैनात किया । इस संबन्ध में श्री डी०के० भट्टाचार्य दुर्घटना के कारणों की जांच करने के लिए स्थल पर गए और उन्हें जांच न्यायालय के समक्ष 11-1-1982 तक इस दुर्घटना के कारणों की छानबीन करके रिपोर्ट प्रस्तुत करनी थी ।

मुझे इस बात की प्रसन्नता है कि यह कार्य सम्पन्न हुआ और माननीय न्यायालय को अनुसूचित समय के भीतर ही रिपोर्ट प्रस्तुत कर दी गई ।

जब श्री भट्टाचार्य स्वयं जांच कर रहे थे और पर्याप्त विवरण तथा सूचना एकत्र कर रहे थे, उस समय इसी संस्थान के सर्वश्री के० के० राय चौधरी और बी०के० मजूमदार तथा अन्य वरिष्ठ वैज्ञानिकों की अन्तिम रिपोर्ट तैयार करने तथा तथ्यों को समझने समझाने में उनकी अधिक सहायता की ।

मुझे आशा है कि इस रिपोर्ट में प्रस्तुत दुर्घटना के प्रति उत्प्रेरक घटनाओं का विशेषतापूर्ण विश्लेषण दिखाया गया है जो जांच-न्यायालय को अपनी कार्यवाही में अधिक सहायक सिद्ध होगा ।

ह० के० ए० किनी, निदेशक

दिनांक : केन्द्रीय ईंधन अनुसंधान संस्थान,
धनबाद, बिहार 5 जनवरी, 1982

जगन्नाथ कोयला खान जिला ढेंकानाल, उड़ीसा में 24-6-1981 की दुर्घटना के कारणों की जांच के संबन्ध में के०ई०अ०स० (सी० एफ० आर० आई०) की रिपोर्ट

1.0 श्रम मंत्रालय, भारत सरकार ने जगन्नाथ कोयला क्षेत्र, तालचेर कोयला क्षेत्र, जिला ढेंकानाल, उड़ीसा में 24-6-1981 को जो दुर्घटना हुई, उसकी जांच के लिए एक जांच न्यायालय बनाया । माननीय न्यायालय ने तालचेर में 12-11-81 की पहली बैठक में केन्द्रीय ईंधन अनुसंधान संस्थान से यह निवेदन किया कि वह दुर्घटना के कारणों का पता लगाने के लिए अपने विशेषज्ञ भेजे और 11 जनवरी, 1982 तक न्यायालय के समक्ष अपनी रिपोर्ट प्रस्तुत करे ।

2.0 इस आदेश के पालन करने के लिए सचिव, रेवेन्यू बोर्ड, उड़ीसा सरकार ने (पत्र संख्या 95/81/7408 जनरल दिनांक कटक, 20 नवम्बर, 1981 द्वारा) निदेशक, केन्द्रीय ईंधन अनुसंधान संस्थान (सी०एफ०आर० आई०) से यह निवेदन किया कि वह ऊपर बताई गई जांच के लिए जगन्नाथ कोयला खान में अपने प्रतिनिधि को तैनात करें ।

3.0 तदनुसार, श्री डी०के० भट्टाचार्य वैज्ञानिक, के०ई०अ० स० (सी०एफ०आर०आई०) (जो कोयला सर्वेक्षण प्रयोगशाला बिलासपुर, मध्यप्रदेश में तैनात थे) को यह निदेश दिया गया कि वह कोयला खान का निरीक्षण करें और जांच कार्य सम्पन्न करें ।

4.0 श्री भट्टाचार्य ऊपर बताए गए दोनों सौंपे गए कार्यों के साथ 23-12-1981 को तालचेर पहुंच गए ।

5.0 केन्द्रीय खनन शोध केन्द्र (सी०एम०आर एस०) धनबाद से भी वैज्ञानिकों का दूसरा दल इसी प्रकार के सौंपे गए कार्य को लेकर इस क्षेत्र का निरीक्षण करने के लिए जैसा कि माननीय जांच न्यायालय ने इच्छा प्रकट की थी ।

6.0 तालचेर में 23-12-81 से 25-12-81 तक की जांच की अवधि के दौरान श्री भट्टाचार्य और केन्द्रीय खनन अनुसंधान केन्द्र के वैज्ञानिक जिनके साथ निदेशक खान सुरक्षा, भुवनेश्वर भी थे, केन्द्रीय कोयला लिमिटेड (सी०सी०एल०) और सी०एम० पी० डी०आई० के प्रतिनिधि दुर्घटना के स्थलों का कई बार देखने गए और इसके उपरान्त उनमें अनेक बार चर्चाएं हुई ।

6.1 जांच और चर्चाओं की अवधि के दौरान जो अधिकारी उपस्थित रहे वे इस प्रकार हैं :

1. श्री डी०के० भट्टाचार्य	वैज्ञानिक, केन्द्रीय ईंधन अनुसंधान संस्थान
2. डा० टी०एन० सिंह 3. डा० एम०सी० बनर्जी 4. डा० बी०डी० बालिगा	वैज्ञानिक, केन्द्रीय खनन अनुसंधान केन्द्र
5. श्री के० पाल,	निदेशक, खान सुरक्षा, भुवनेश्वर
6. श्री सी०आर० दाश, तकनीकी सचिव 7. श्री आर० सिंह—महाप्रबन्धक—तालचेर	केन्द्रीय कोयला लिमिटेड
8. श्री ए०के० त्रिपाठी, खान अधीक्षक, जगन्नाथ	कोयला खान के० को०लि०
9. श्री महन्तो	एजेंट जगन्नाथ कोयला खान
10. श्री जे०के० सिन्हा	वरिष्ठ भूवैज्ञानिक, सी० एम० पी०डी०आई० तालचेर क्षेत्र ।

7.0 इन निरीक्षणों और चर्चाओं के दौरान इस बात के प्रयत्न किए गए कि दुर्घटना के कारणों का पता लगाया जाए जिसका आधार उपलब्ध सूचना और स्थल पर अभी भी दिखने वाला परिस्थितिजन्य साक्ष्य और खान—सुरक्षा महानिदेशक, भुवनेश्वर की रिपोर्टें तथा के० कोलि० (सी० सी० एल) के प्राधिकारियों द्वारा उपलब्ध कराए गए स्थल के फोटो (जो दुर्घटना के बाद 2-3 दिनों में ही लिए गए थे) ।

8.0 जगन्नाथ कोयला खान की मार्गदर्शी (पायलट) खदान में दुर्घटना का स्थल दो वृहद् सबसे अधिक मूल्यवान (लगभग) प्रवृत्त भ्रंशों की द्रोणिका में है और कोयला खान सम्पत्ति के लगभग आखिरी दक्षिणी भाग की ओर ही स्थित है । यह बताया जाता है कि इस आधार पर खदान की चौड़ाई लगभग 120 मीटर है । यह खदान 1970 में दक्षिणी पूर्वी किनारे पर शुरू हुई थी और उसके बाद इसकी प्रगति पूर्व से पश्चिम की हुई है ।

8.1 इस खदान में दो कार्यशील कोयला संस्तर हैं अर्थात् संस्तर 3 और संस्तर 2 (जो स्थानीय रूप से जगन्नाथ संस्तर कहलाते हैं) । संस्तर 3 की पट्टे की खुदाई हो चुकी थी । संस्तर 2 के बारे में यह बताया गया है कि इसकी दो पट्टियों में कार्य चल रहा है । इन दोनों पट्टियों में से प्रत्येक पट्टी की ऊंचाई ऊपर से 8–10 मीटर है । इसका लगभग 15 मीटर तले का भाग भविष्य में खोदने के लिए छोड़ दिया गया था ।

8.2 यह बताया जाता है कि खदान के दक्षिणी भाग में यह दुर्घटना हुई थी । इस दुर्घटना से कुछ समय पूर्व खदान के कुछ हिस्से में आग लग गई थी ।

9.0 दुर्घटना की कुछ विशेष बातें इस प्रकार हैं :

9.1 24 जून, 1981 को लगभग एक बजे सायंकाल गर्म राख और धूल का बहुत बड़ा बादल दिखाई दिया । यह बादल लगभग 30 मीटर ऊंची खदान के किनारे के स्खलित होने से उठा था और इसके कुछ भाग में आग लगी हुई थी । स्खलन के साथ ही और/अथवा इसके बाद एक संभव प्रस्फोट हुआ । खदान तल (अर्थात् उत्तरी तल की ओर) की दूसरी ओर लगभग 60 मीटर की दूरी पर उपस्थित चौदह व्यक्ति बादल में घिर गए । उनके जलने से चोटें आयीं । उनमें से 10 व्यक्ति 10 दिन के भीतर ही अपनी चोटों के कारण कालकवलित हो गए ।

9.2 यह बताया जाता है कि दुर्घटना के समय खदान में हताहतों की स्थिति को देखते हुए 80 प्रतिशत से 100 प्रतिशत तक अलग-अलग जलने से चोटें आई हैं ।

9 3 इनमें से कुछ हताहतों की खाले फफोलों जैसी उभड़ गई थी जिससे भयंकर जलने की दशा प्रकट होती है।

9 4 हताहतों के शरीर बारीक राख से ढके हुए थे। यहां तक कि ये राख मुंह और नथुनों में घुस गई थी लेकिन यह बताया जाता है कि उनके बाल नहीं झुलसे थे और उनकी खाल भी नहीं झुलस पायी थी जैसा कि चर्चा के दौरान डा० मोहन्ती सर्जन विशेषज्ञ रीजनल अस्पताल तालचेर से विदित हुआ था। यह भी ज्ञात हुआ है कि जलने का प्रभाव केवल शरीर के उन्हीं अंगों पर हुआ है जो खुले हुए थे। शरीर के ढके हुए अंग (कपड़ों से ढके हुए अंग) पर प्रभाव नहीं हुआ है। इस बात के भी कोई साक्ष्य नहीं मिले कि विषैली गैसों का श्वास लेने पर कोई प्रभाव हुआ है।

9 5 यह बताया जाता है कि उड़ते हुए पत्थर के टुकड़ों या इसी प्रकार के अन्य पदार्थों से कोई चोट नहीं आयी है।

10 0 यह बताया जाता है कि लगभग 800 टन पत्थर का मलबा दुर्घटना के स्थल पर दक्षिणी भाग के सहारे निचले अनत हुए क्षेत्र तक लगभग 20 मीटर चौड़ी पट्टी के अंश के नीचे स्खलित हुआ था।

10 1 यह बताया जाता है कि आग खदान के वर्तमान तल के ऊपर लगभग 10 मीटर दक्षिणी भाग की ओर मलबे में सक्रिय रही थी।

10 2 यह भी बताया जाता है कि उस खदान के तल के पूर्वी भाग से निकाला हुआ ताजा खान कोयला का ढेर भी था जो दुर्घटना के स्थल के निचले भाग से दूर लगभग 18 मीटर पर था।

10 3 दुर्घटना के दौरान कोयला ढेर तक स्खलित चट्टानों के पदार्थ पहुंचे जिनमें कई बड़े आकार के शिलाखंड थे।

10 4 खदान तल के स्खलन के बाद भूरे/काले/स्लेटी-रंग जैसे राख/धूल के वृहद बादल आ गए जो खदान के ऊपर हवा में बहुत ऊंचे उठ गए और इसके बाद वे बैठ गए तथा 5 से 10 मिनट में एक बहुत बड़े क्षेत्र को आच्छादित करके छितरा गए।

10 5 धूल के अवपात ने त्रिकोण की आकृति बना ली। इसके बायें और दाहिने भाग घाटी (दुर्घटना का स्थल) से लगभग 90 मीटर तक फैल गई थी जबकि इसके आधार में उत्तरी सतह के साथ लगभग 200 मीटर लम्बाई का क्षेत्र आच्छादित कर लिया था।

10 6 विभिन्न आकार के खंगरों, जले हुए कोयले पत्थरों के टुकड़े आदि (जैसा कि 10 5 में उल्लेख किया गया है) इस क्षेत्र में सभी ओर बिखर गए और बाद में महीन राख/धूल की परतों से ढक गए।

11 1 निरीक्षण के दौरान मार्गदर्शी (पायलट) खदान जहां दुर्घटना हुई थी, तल की ओर पानी से भरी हुई थी और यह बताया जाता है कि इसकी सतह 4 5 से लेकर 5 मीटर पानी में भरी हुई थी। मूल गर्त जो पूर्वी भाग (दुर्घटना से पूर्व) स्थित था में बाढ़ आ जाने के फलस्वरूप फैल गया और उस क्षेत्र में दलदल हो गया तथा दुर्घटना स्थल (जिसका निरीक्षण दुर्घटना के ठीक छ महीने बाद अर्थात् 24-12-81 को किया गया) का सतही क्षेत्र मलबे और पानी से भर गया था।

11 2 पानी के भर जाने के कारण अधिकांश धूल के अवपात, जले हुए, कोयले के तितर-बितर टुकड़े अथवा खंगर आदि जिनके सम्बन्ध में यह बताया जाता है कि यह विस्फोट के सीधे ही परिणाम हैं दिखाई नहीं दे रहे थे और/अथवा अपनी मूल स्थिति से बिगड़ चुके थे।

11 3 स्खलित क्षेत्र अर्थात् दुर्घटना की समस्या का स्थान प्राकृतिक एजेंसियों (खदान जो दुर्घटना के दिन से खान कार्य के लिए बंद रही) के कारण अस्त-व्यस्त भी हो गया था।

11 4 दक्षिणी भाग (अर्थात् स्खलन का भाग) में सर्वत्र ऊपरी सतह, छिद्र, दरारें विदर स्खलित किनारे आदि में भी अपनी पूर्व-स्थिति आकार अथवा आकृति में प्रकृति की भी विषमताओं के कारण काफी परिवर्तन आ गए थे।

11.5 दक्षिणी भाग (दुर्घटना स्थल में और उसके चारों ओर) में मौजूदा सक्रिय आग की स्थिति भी स्थानान्तरित हो गई लगती।

कुछ शब्दों में यह अभिलेख करना भी महत्वपूर्ण है कि गत छ महीनों में इस दुर्घटना स्थल में काफी परिवर्तन हुए हैं इसलिए पर्याप्त सीधे साक्ष्य जो इस दुर्घटना के कारणों और परिस्थितियों की ओर उन्मुख करते हैं स्पष्ट रूप से या तो बदल गए हैं या समाप्त हो गए हैं।

11 6 ऊपर बताई गई स्थितियों और सीमाओं में इस प्रकार के प्रयत्न किए गए हैं कि इस दुर्घटना के सभाव्य कारणों का पता लगाया जाए। ये कारण खान सुरक्षा विभाग, भुवनेश्वर और केन्द्रीय कोयला क्षेत्र रांची की रिपोर्टों तथा उपलब्ध फोटो और ऊपर बताए गए अधिकारियों के पारस्परिक चर्चा के दौरान प्राप्त अन्य साक्ष्यों के आधार पर पता लगाए गए हैं।

11 7 मार्गदर्शी (पायलट) खदान का दक्षिणी भाग भ्रंश तल के बहुत निकट था। यह बताया जाता है कि इस प्रक्षेप का विस्तार उत्तर की ओर 100 से 140 मीटर तक होगा। इस तथ्य की जांच सी० एम०पी०डी० आई०, 1975 की संशोधित दक्षिणी बालन्दा रिपोर्ट (स्केच मानचित्र संख्या डी सी 3281) में कर ली गई है। 'भ्रंशतल' न्यूनाधिक रूप से बहुत समीप ही बताया जाता है। कहना चाहिए कि यह भ्रंशतल छिद्र एम०सी०टी०बी० 117 (कोआर्डिनेट+2257 32 डिपार्चर-2464 05) के उत्तर में 6 मीटर की दूरी पर स्थित है और एम०सी० टी०बी०-181 की आर्डिनेट+1962 15 डिपार्चर--1171 89) के उत्तर में लगभग 10 मीटर दूरी पर है और एम०सी०टी०बी० 178 (कोआर्डिनेट+1911 89 डिपार्चर-852 21) के आठ मीटर उत्तर में स्थित है। इस निरीक्षण के दौरान छिद्र की स्थिति नहीं दिखी क्योंकि दक्षिणी सतह के समीप ही मिट्टी का ढेर था और सतह अधिक अस्त-व्यस्त हो गई थी।

11 8 यह बताया जाता है कि भ्रंश का नमन लगभग 50° से 55° तक का होगा और भ्रंशतल का झुकाव पश्चिम उत्तर—पश्चिम-पूर्व और दक्षिण-पूर्व की ओर रहा है परन्तु शिथिल मलबे से ढके होने के कारण इसकी जांच नहीं की जा सकी।

12 0 सभावित कारण

दुर्घटना के होने से पूर्व घटनाओं और परिस्थितियों का पहले ही अभिलेख किया गया है। महा-निदेशालय, खान सुरक्षा भुवनेश्वर तथा म० को०लि० (सी०सी०एल०) ने रिपोर्टें तैयार की हैं। घटनास्थल के अध्ययन और निरीक्षण से परिस्थिति के साक्ष्य भी मिले हैं। इस दुर्घटना के कतिपय स्मृतिशेष भी हैं। इन सभी अभिलेखों, रिपोर्टों, अध्ययनों, निरीक्षणों तथा स्मृतिशेषों के आधार पर यथाशक्ति उन कारणों की जांच हो सकी है जिनसे यह दुर्घटना हुई है यह दुर्घटना 24 जून, 1981 को हुई थी। इसके अलावा, इस दुर्घटना के उन हताहतों की बातों से प्रकार से भी इस घटना के कारण का पता लगता है जिनमें दुर्भाग्यवश कतिपय कामगारों का निधन हो गया।

12 1 पहले यह ध्यान देना चाहिए कि जगन्नाथ सम्स्तर कोयला में उच्च आर्द्रता उच्च वाष्पशीलता, निम्न कोटि का राखयुक्त कोयला है और इस प्रकार के कोयले में आक्सीजन के अवशोषण का स्वत: आक्सीकरण और अपने आप ही आग लग जाने की प्रवृत्ति होती है। वास्तव में, सन्दर्भगत मार्गदर्शी (पायलट) खदान का विकास हो गया था और 1970 में ही खनन प्रारम्भ कर दिया गया था, फिर भी, यह बताया जाता है कि मई, 1977 में दक्षिणी भाग में अपने आप ही आग लग गई थी और इस सेक्टर में पुराने छूटे हुए अंगारे वर्षा पर्यन्त सुलगते रहे थे।

12.2 जैसा कि पहले ही जो स्थल बताया गया है, उस स्थान में स्वत: आग का प्रसार प्रारम्भ हो गया था। यह आग स्वतः दीर्घकालीन थी क्योंकि उन दरारों, विदरों और छिद्रों में से उन क्षेत्र में वायु का बराबर अन्तःप्रवेश हो गया था जो उस समय खनन-कार्य से निर्मित हो गए थे और/या आग के प्रकोप और कोयले की पर्याप्त राख बन जाने के कारण स्वस्थान पर ही खुल गए थे। इस बात पर भली भांति ध्यान किया जा सकता है कि बताई गई दुर्घटना से लगभग चार वर्ष पूर्व के लिए बराबर आग के रहने से स्पष्टतया बड़े-बड़े आकार और भार के अंगार आग को लपेटे हुए होंगे जो कोयले के गहरे तल के भीतर स्पष्टतया सुलग रहे होंगे।

12.3 यह विचार करना भी संगत है कि मलबे के खुले पिंड का निर्माण और संचय दक्षिणी भाग के ऊपरी क्षेत्रों में स्वाभाविक अपक्षय की प्रक्रिया से हुआ होगा। इस प्रकार के मलबे में मुख्यतया पत्थर, चट्टानें, स्लेट जैसी मिट्टी की परतें, मिट्टी आदि शामिल हैं लेकिन ऐसे मलबे में कोई भी स्थायित्व नहीं होता क्योंकि विशेष रूप से भंगतल के चारों ओर का क्षेत्र अस्त-व्यस्त हो गया है। इसलिए इसका सर्वेक्षण किया जा सकता है कि अपने आप ही लगी आग का मूल स्थान धीरे-धीरे लेकिन कठोरता से उन दोनों ही कोयला और चट्टान पिण्डों के ढेरों के अवपातों से आच्छादित हो गया होगा जो सतह पर शिथिलता से लटक रहे थे और यह आच्छादन इस स्थान में स्वतः आग के लगातार प्रसार से उत्पन्न स्वस्थान पर निर्मित अंगारों द्वारा भी हुआ है।

12.4 यह भी स्मरण करना संगत है कि इस दुर्घटना से जो व्यक्ति बच गए, उन्होंने यह बताया है कि विस्फोट से ठीक पहले दुर्घटना स्थल के पास और उसके तल के साथ बड़े आकार की चट्टानों के मलबे में हलचल हो उठी थी और वह मलबा स्खलित हो उठा था। दुर्घटना के बाद के विश्लेषण से यह पता लगा है कि लगभग 800 टन मलबा तल के नीचे स्खलित हुआ था और यह मलबा खनन के तल में मौजूदा जमा कोयले से नीचे की ओर 18 मीटर लुढ़क गया था।

12.5 अभी एक बात और भी संगत है जो दुर्घटना के कारण और उसके घटित होने के संबन्ध में विचारणीय है। इस स्थल के बाद में जांच करने से भी पता लगा है कि उसने पुराने कार्य-स्थलों को घेरते हुए या उनकी सतह को आच्छादित करते हुए कई छिद्र, दरारें और विदर दिखाई दिए हैं। इस विचार से यह ठीक ही लगता है कि इस दुर्घटना के घटित होने से पूर्व इस प्रकार के विदरों, छिद्रों और दरारों से अपनी का आसवन किया है जो उस कोयले के तल तक है जिसमें आग लग गई थी और यह आग प्रारम्भ में अपने आप ही ज्वलित हुई थी। इस प्रकार लगातार ज्वलन के कारण गर्म कोयला तल और स्वस्थान पर निर्मित झुलसे हुए कोयले में से पानी की लगातार पारगम्यता रही है जिसके कारण किसी न किसी प्रकार गर्मी की प्रतिक्रिया हुई जो कार्बन-डाइआक्साइड, कार्बनमानोआक्साइड और हाइड्रोजन निर्मित करने में उन्मुख हुई है।

12.6 यह भी भलीभांति स्पष्ट है कि कोयले की दहनशीलता प्रायः ताप अपघटन के साथ मिली-जुली होती है जिसे आमतौर पर कोयले का कार्बनीकरण कहा जाता है। चूंकि जले हुए कोयले के बड़े बड़े खण्डों की सतह आवश्यक रूप से कार्बनीकरण तथा वाष्प के निर्माण की ओर उन्मुख होती है, इसलिए सतह की प्रदीप्ति आग कोयला पिण्ड (जिसमें आक्सीजन सप्लाई का अभाव होता है) के भीतर घुस जाती है और इस प्रकार कोयला-तल के भीतर गहराई में पर्याप्त कोयले का कार्बनीकरण हो जाता है। इस, प्रकार की प्रक्रिया से देर तक ठहरने वाले वाष्पकरण और मेथेन तथा हाइड्रोजन से प्रचुर गैसों का निर्माण होगा तापमान, कार्बनीकरण और इसकी यांत्रिक प्रक्रिया के प्रयोगशाला अध्ययन से इस बात का पता लगा है कि लगभग 2000 घनफुट (जिसमें कुछ मेथेन हाइड्रोकार्बन सम्मिलित है) और कोयला निम्नवर्ग के ऊपर युक्त कोयले यथा जगन्नाथ संस्तर कोयला 600° सेंटीग्रेड पर या इस तापमान तक उत्पन्न होने की संभावना है

12.7 संक्षेप में अनेक सहवर्ती रासायनिक प्रतिक्रियाएं यथा दहन, गैसीकरण और कोयले का कार्बनीकरण के प्रारम्भ और प्रसार को समर्थित करने वाले तर्क तथा चट्टान के मलबे स्खलित होने से क्षेत्रों में इस प्रकार की प्रतिक्रिया के धीरे-धीरे होने से यह भलीभांति विचार किया जा सकता है कि इस स्थिति ने आवश्यक रूप से ऐसे उपाय निकाल लिए हैं जिससे शायद बताया गया प्रस्फोट और स्पष्टतया विस्फोट की पराकाष्ठा विदित होती है

संक्रिया प्रतिक्रिया वाले क्षेत्रों के आच्छादन के बारे में यह कहना संगत है कि यह वर्षों से हो रहा होगा जबकि अपने आप लगने वाली आग प्रारम्भ से ही चली आ रही होगी जब तक कि एक ऐसी स्थिति आ गई जिसमें राख और चट्टानों के भारी आच्छादन के कारण शेष गैसों का निष्कासन उत्तरोत्तर कठिन होता गया और इस प्रकार इस क्षेत्र में गैस का दबाव बनने लगा। इस तरह की गैसों का प्रकार और उनकी संरचना एक महत्वपूर्ण कारण है जो विस्फोट के कारण का पता लगाने के लिए ध्यान में रखना चाहिए।

12.7.1 पर्याप्त हवा में अपने आप ही आग का दहन आवश्यक रूप से कार्बनडाइआक्साइड और पानी का निर्माण करेगा लेकिन यदि इस प्रकार की स्वतः आग का स्थान या स्थल अवशेष राख से आच्छादित हो जाता है और बड़े-बड़े आकार की चट्टानों के मलबे से ढक जाता है तो ऐसी स्थिति में जो प्रतिक्रिया होगी उससे यह संभावना है कि कार्बनडाइआक्साइड की अपेक्षा अधिक मात्रा में कार्बनमोनोक्साइड का निर्माण होगा।

12.7.2 दूसरे, स्वतः आग के साथ गैसीकरण की प्रतिक्रिया का होना भी संगत है और इससे आवश्यक रूप से कार्बनमोनोक्साइड और हाइड्रोजन का निर्माण होगा।

12.7.3 तीसरे, जैसे कि पहले ही बताया जा चुका है कि एक ही स्थल पर कोयले की भीतरी गहराई में कार्बनीकरण काफी मात्रा में गैसों को उत्पन्न करेगा जिनमें मेथेन और हाइड्रोजन की प्रचुरता होगी

12.7.4 इन प्रतिक्रियाओं के घटित होने पर विचार करते हुए और इसके साथ ही साथ महीनों तक पर्याप्त मात्रा में राख और चट्टानों के मलबे से आच्छादित होने के कारण यह स्पष्ट है कि अंगारों और मलबे की गैसों का संचयन धीरे-धीरे काफी दबाव तैयार कर देगा।

12.8 इस अवस्था में इस पर भी ध्यान दिया जाना अधिक महत्वपूर्ण है कि इस घटना से कुछ दिन पूर्व 16, 18, 20, 21, 22, और 23 जून को लगातार तेजी से वर्षा हुई जो कुल मिलाकर लगभग 206 मिलीलीटर होती है। ऐसी वर्षा होने और इसके बाद ऊपर बिखरे हुए चट्टानों के मलबे में से आग के स्थल में वर्षा के पानी के अन्तःस्रवण और प्रसार के कारण यह स्थिति अधिक भयंकर हो गई होगी जिसके फलस्वरूप गैस-निर्माण की प्रतिक्रिया बढ़ी होगी और इस प्रकार अधिक दबाव बना होगा। इस प्रकार की घटनाओं से समस्त क्षेत्र अस्त-व्यस्त होना चाहिए जिससे कम्पन होगा और पर्याप्त चट्टान-पिंड का स्खलन होगा जिसके कारण अपेक्षाकृत अधिक छोटी खाईयां, दरारें और विदर बन जाएंगे जो आग को आच्छादित करने वाले गैस क्षेत्र में से वायु के एकाएक बाहर निकलने के लिए कारण बनेंगे। अन्दर आने वाली वायु और दबावग्रस्त दहनशील गैसों यथा हाइड्रोजन से उच्च प्रकार का विस्फोट मिश्रण तैयार होगा जो भयंकर विस्फोट और प्रस्फोट की ओर उन्मुख होगा। इस प्रकार की स्थिति ने एकाएक ऐसा मुख बना लिया है जो ज्वालामुखी पर्वत के ज्वालामुख के समान होता है और इसमें से टनों अंगारे, शिलाखंड और राख आदि काफी बल के साथ बाहर निकली होगी। इस बात पर भी ध्यान दिया जा सकता है कि इस प्रकार की अनेक घटनाओं ने सर्वप्रथम पत्थरों और मिट्टियों को निष्कासित किया होगा जिसके कारण काफी मात्रा

में चट्टानों और शिलाखण्डों का स्खलन हुआ होगा जो खदान के तल के पिछले भाग से लघु कोयली ढेर से लगभग 18 मील की दूरी पर प्रत्यक्षतः सुलक गए होंगे। इसके मुख में से पत्थरों और मिट्टियों के प्रस्फोट के शीघ्र बाद धूल/राख उत्तरी तल की ओर प्रक्षेपित रूप में आई होगी इन अंगारों के प्रकार का बाद में विश्लेषण किया गया और इन अंगारों का खदान की द्रोणी में प्रसार के बारे में अध्ययन किया गया जिससे इस बात का समर्थन होता है कि धूल के बादलों का प्रसार हुआ होगा।

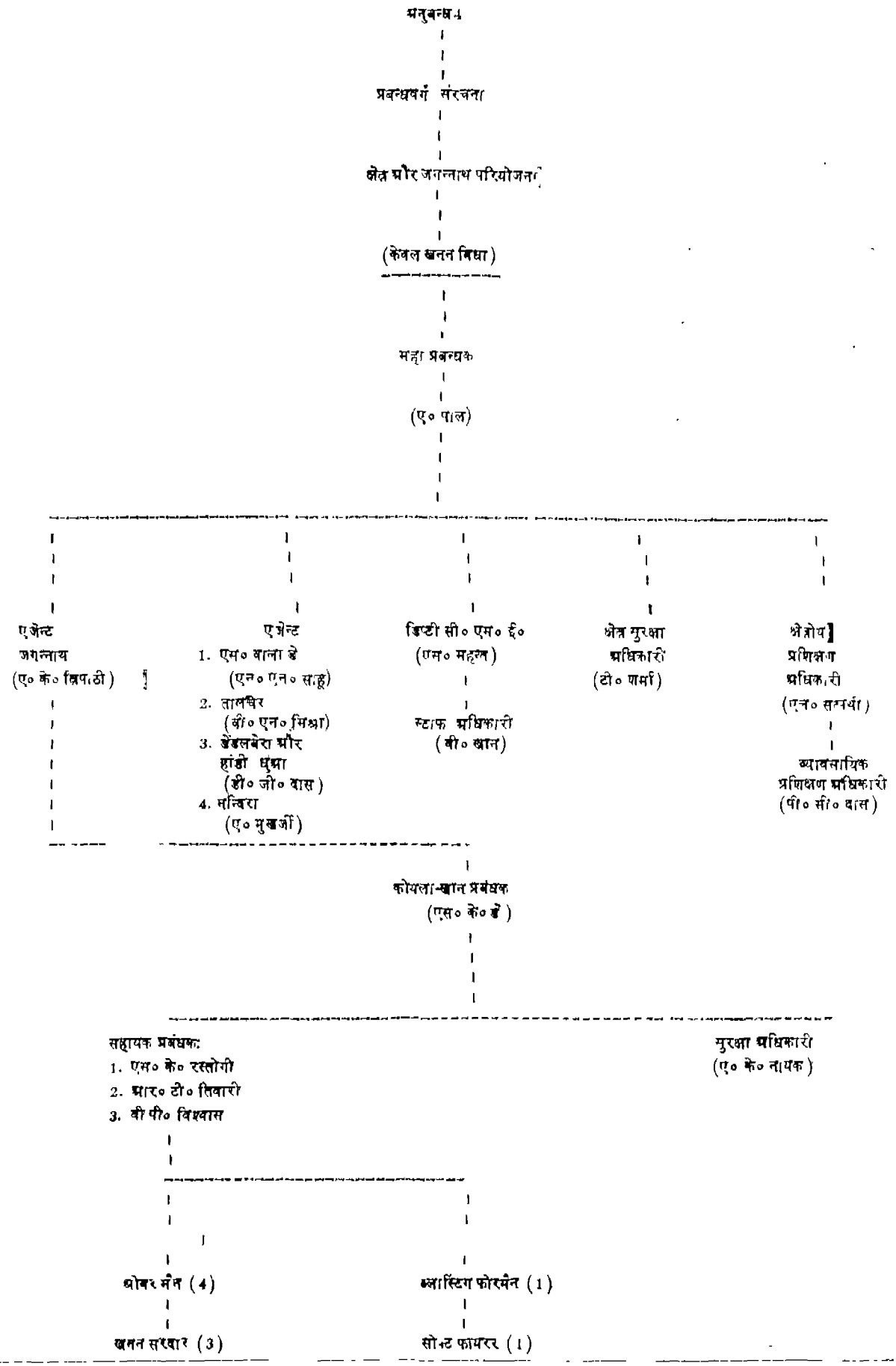
12 9 इस बात पर ध्यान देना अधिक तर्कसंगत है कि विस्फोट करने वाली जटिल गैस का दबाव एक ही दिन में नहीं बन पाया था परन्तु यह दबाव कई महीनों से बन रहा था जबकि आच्छादित मलबे में से दहनशील गैसें धीरे-धीरे निकल भी रही थीं लेकिन जब गैस का दबाव ऐसे बिन्दु पर आ पहुंचा जिसके बाद आच्छादित चट्टान के मलबे को इस प्रकार का दबाव सहन नहीं हो सका तो स्वभावगत तथाकथित ज्वाला-मुख का निर्माण हो गया और स्खलन हुआ जिसके परिणामस्वरूप पत्थर शिलाखंडों का निष्क्रमण हुआ और इसके बाद राख धूल के बादल आ गए। आच्छादित चट्टान के मलबे की गतिशीलता इधर-उधर हो जाने से कई दरारें और विदर पैदा हो गए जिनसे गैस-क्षेत्र में एकाएक अन्त स्फोट हुआ जिसके परिणामस्वरूप मैथैन-वायु, कार्बनमोनोआक्साइड वायु और हाइड्रोजन वायु के मिश्रणों का विस्फोट हुआ। इसके फलस्वरूप काफी आयतन की अधिक गर्म क्षीण गैस बनी होगी जो स्पष्टतया काफी बल के साथ बाहर निकल आयी जैसा कि कोई प्रक्षेप खदान के उत्तरी भाग में हुआ हो। गर्म गैस और वाष्प के इस प्रकार के एकाएक निकलने के साथ ही साथ बारीक गर्म अंगारे भी उसमें मिल गए जो अभागे हताहतों तक 300° से 400° के तापमान तक पहुंच गए जिसके फलस्वरूप उन हताहतों के खुले अंग झुलस गए और भुन गए लेकिन स्पष्ट रूप से झुलसे नहीं दिखाई दिए। यह अनुमान डाक्टरों की शव-परीक्षा के बिल्कुल समतुल्य है जिसका संबंध चोट के उस प्रकार से है जिनके कारण कई व्यक्तियों की मृत्यु हुई। इतने तापमान के सामने आने से यह अनुमान किया जाता है कि इससे खाल और बाल के झुलसे बिना ही सतही गंभीर जलने की चोटें आई हैं। इस प्रकार की गर्म वायु जिसमें विशेषतया बारीक गर्म धूल मिली हुई थी, के निष्क्रमण और अन्तर्ग्रहण से फेफड़ा और फुफ्फुस की धमनियों में इस प्रकार की चोटें होना पर्याप्त है जैसी कि कतिपय हताहतों के मामले में रिपोर्ट की गई है।

13 0 सारांश

मार्गदर्शी (पायलट) खदान के दक्षिणी भाग में कहीं आग के क्षेत्र में लगातार घटनाएं हुईं जिनके कारण जगन्नाथ कोयला खान में दुर्घटना हुई है। इस क्षेत्र में लगातार आग का लग जाना और मई, 1977 से बराबर आग के प्रसार के बारे में बताया गया है लेकिन इतने से ही इतना भयंकर प्रस्फोट और विस्फोट नहीं हो सकता जब तक कि अन्य कई घटनाएं इस स्थिति के लाने के लिए साथ-साथ न घटें और वेग से न हों।

इस क्षेत्र में सुलगती हुई आग स्वतः उत्पन्न राख और अंगारों से धीरे-धीरे ढक गई होगी और बाद में पुराने कार्यशील भागों के अवपात से गिरे हुए शिथिल पदार्थ और धीरे-धीरे नष्ट होने के कारण काफी मात्रा में चट्टानों का मलबा भी आच्छादित हो गया होगा। इसके अलावा सुलगी हुई आग कोयला तल में उस स्थल तक घुस गई जो बृहद् अश्मतल के स्खलन के समीप अस्त-व्यस्त क्षेत्र में स्थित था।

इस प्रकार इसके परिणामस्वरूप आग के क्षेत्र के भारी आच्छादन से कोयला तल के भीतर और बाहर कई प्रकार की रासायनिक प्रतिक्रियाओं का कारण बन गया अर्थात् दहन, गैसीकरण और कार्बनीकरण इन सभी से बराबर गैसें बनती रहीं जिसका परिणाम यह हुआ कि आग के क्षेत्र में बहुत गहराई में अधिक दबाव पैदा हो गया। इसके फलस्वरूप यह दबाव ऐसी जटिल सीमा तक पहुंच गया कि चट्टानों के मलबे की ऊपरी परत काफी शक्ति से प्रस्फुटित हो गई और जिसके कारण एक मुख बन गया। परिणाम यह हुआ कि इस मुख में से गैस क्षेत्र की हवा का एकाएक अन्तः प्रवाह हुआ जिसके परिणामस्वरूप दबाव के कारण उच्च दहनशील गैस के मिश्रणों का विस्फोट हुआ अर्थात् मैथैन वायु, कार्बनमोनोआक्साइड-वायु और हाइड्रोजन-वायु का मिश्रण हुआ था। आग-क्षेत्र की गहराई में इस प्रकार के विस्फोट से शायद अधिक मात्रा में चट्टानों के मलबे का स्खलन हुआ और पर्याप्त आयतन की क्षीण गर्म गैसें भी उभरकर बाहर आईं जिनके साथ बारीक गर्म राख की धूल और अंगारे थे जो उत्तर भाग की ओर प्रक्षेपित हुए जिनके फलस्वरूप अभागे हताहत झुलस गए और उसमें भुन गए।


अनुबन्ध 4
प्रबन्धवर्ग संरचना
क्षेत्र और जगन्नाथ परियोजना
(केवल खनन विधा)
महा प्रबन्धक
(ए० पाल)
एजेन्ट
जगन्नाथ
(ए० के० त्रिपाठी)
एजेन्ट
1. एम० बाला डे
(एन० एन० साहू)
2. तालचिर
(बी० एन० मिश्रा)
3. डेंडलबेरा और
हांडो धुआ
(डी० जी० दास)
4. नन्दिरा
(ए० मुखर्जी)
डिप्टी सी० एम० ई०
(एम० महतो)
स्टाफ अधिकारी
(बी० खान)
क्षेत्र सुरक्षा
अधिकारी
(टी० शर्मा)
क्षेत्रीय
प्रशिक्षण
अधिकारी
(एन० सत्पथी)
व्यावसायिक
प्रशिक्षण अधिकारी
(पी० सी० दास)
कोयला-खान प्रबंधक
(एस० के० डे)
सहायक प्रबंधक:
1. एम० के० रस्तोगी
2. आर० टी० तिवारी
3. बी पी० विश्वास
सुरक्षा अधिकारी
(ए० के० नायक)
ओवर मैन (4)
खनन सरदार (3)
ब्लास्टिंग फोरमैन (1)
सीनट फायरर (1)

अनुबन्ध 5

जगन्नाथ कोयला खान के खान कर्मचारियों और अधिकारियों की सूची

खनन :

1. एजेण्ट/परियोजना अधिकारी : श्री ए० के त्रिपाठी
2. प्रबंधक : श्री एम० के० डे
3. सहायक प्रबंधक : श्री एम० के० रस्तोगी
4. सुरक्षा अधिकारी : श्री ए० के० नायक
5. अवर प्रबंधक : (क) श्री बी० पी० विश्वास
(ख) श्री आर० तिवारी
6. ब्लास्टिंग फोर मैन : श्री पी० सी० देश
7. शाटफायरर : श्री नायक
8. ओवर मैन/सीनियर ओवर मैन : श्री नवीन नायक
श्री एस० एम० दास
श्री एम० साहू
श्री एम० सी० डे
9. खनन सरदार : श्री डी० राउत
श्री उमेश पटनायक
श्री पवित्र प्रधान

ई० एण्ड एम० सेक्शन :

1. कोयला-खान इंजीनियर : श्री ए० ए० अनवर, सीनियर ई० ई०
2. अधिशासी अभियन्ता : श्री पी० आर० दास
3. इंजीनियर : श्री एस० के० बनर्जी
4. विद्युत सुपरवाइजर : श्री आर० प्रसाद
5. फोरमैन : श्री आर० के० मोहन्ती
6. चार्जमैन : श्री एल० सिंह

उत्खनन अनुभाग

1. अधीक्षक अभियन्ता : श्री आर० यू० राय
2. अधिशासी अभियन्ता : श्री बी० के० राव (यांत्रिक)
श्री बी० के० लामा (विद्युत)
3. कनिष्ठ कार्यकारी प्रशिक्षार्थी : श्री रामजी
4. जनरल फोरमैन : श्री जागीर चन्द
5. फोरमैन इंचार्ज : श्री ए० एन० सरकार
श्री पूरन चन्द
श्री एल० एस० चौहान
श्री ओ० आई० आ
मोहम्मद वहीद
6. फोरमैन : श्री बी० पी० कर
श्री बी० पी० पति
श्री वर्मा
श्री एन० के० बारिक
श्री बी० बी० विश्वास
श्री राजू

सिविल अनुभाग :

1. अधिशासी अभियन्ता : श्री एम० चक्रवर्ती
2. इंजीनियर : श्री एस सदानन्दन
3. ओवरसियर : श्री पी० के० मण्डल
4. कार्य खलासी : श्री रवि साहू

चिकित्सा अनुभाग :

1. डॉक्टर : श्रीमती एस० मोहराना

अन्य :

1. प्रशासनिक अधिकारी : कैप्टन एस० एम० शर्मा
2. लेखाधिकारी : श्री बी० डी० पांडे
श्री एस० खां
श्री के० एस० प्रसाद
3. श्रम कल्याण अधिकारी : श्री एम० विश्वास

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जून, 1981 के महीने के लिए वर्षा की रिपोर्ट

(दक्षिणी बालन्दा कोयला खान)

तारीख	मिली मीटर में वर्षा
1-6-81 . 15-6-81	कुछ नहीं
16-6-81	23.00
17-6-81	कुछ नहीं
18-6-81	21.00
19-6-81	कुछ नहीं
20-6-81	36.00
21-6-81	105.00
22-6-81	5.00
23-6-81	16.00
24-6-81	कुछ नहीं
25-6-81	5.00
26-6-81	कुछ नहीं
27-6-81	कुछ नहीं
28-6-81	6.00
29-6-81	2.50
30-6-81	2.00

क्षेत्रीय प्रयोगशाला

दक्षिणी बालन्दा कोयला खान

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दुर्घटना में ग्रस्त व्यक्तियों की सूची

क्रम संख्या,	व्यक्तियों के नाम	लिंग	आयु	पता	अन्य विवरण
1	2	3	4	5	6
मृतक :					
1	रमेश उर्फ रमकई गगरई सुपुत्र चन्द्र गगरई	पुरुष	25 वर्ष	ग्राम--रंगलगुण्ड, डाकखाना--डंगरी खीमर पल्ला हारा, ढेंकानाल	24-6-81 को 19 20 बजे निधन हो गया।
2.	चन्द्रे मुण्डा सुपुत्र येचीकुल्लाह	तदैव	27 वर्ष	-तदैव-	24-6-81 को 21 05 बजे निधन हो गया।
3	उज्छब पुरती सुपुत्र सुवर्णन पुरती	तदैव	28 वर्ष	डाकखाना--मेंडारी बेडा, ग्राम--मल्लूरी थाना--खामर पल्लाहारा, ढेंकानाल	24-6-81 को 21.15 बजे निधन हो गया।
4.	मधु पुरती	तदैव	25 वर्ष	-तदैव-	24-6-81 को 24.00 बजे निधन हो गया।
5.	तुलसी गगरई पत्नी सुरेश सिंह गगरई	महिला	19 वर्ष	ग्राम--गरहपुर डाकघर--थाना-- सुकिन्दा, जाजपुर कटक	25-6-81 को 13 00 बजे निधन हो गया।
6.	निरंजन मोहराना सुपुत्र सोना मोहराना	पुरुष	22 वर्ष	ग्राम---गैंगलमुण्डा डाकखाना खामेर पल्लाहारा, ढेंकनाल	26-6-81 को 12.30 बजे निधन हो गया।
7.	मधुसूदन नायक सुपुत्र हातिया नायक	पुरुष	25 वर्ष	ग्राम--बारापाली डाकखाना, कुलीनाशपुर थाना--ठाकुरगढ़ अवमल्लिक	29-6-81 को 17.15 बजे निधन हो गया।
8.	राधा पत्नी मधूपुरती	महिला	25 वर्ष	ग्राम--मल्लूरी डाकखाना-मुल्लूरी बाड़ा, पल्लाहारा, ढेंकानाल	30-6-81 को 20.15 बजे निधन हो गया।
9.	सुरेश सिंह गगरई	पुरुष	25 वर्ष	ग्राम--गुरहपुर डाकखाना/थाना सुकिन्दा, जाजपुर, कटक	1-7-81 को 01.45 बजे निधन हो गया।
10.	गुरुवारी सुपुत्री जीमी सिंह	महिला	22 वर्ष	ग्राम/डाकखाना कुन्जैम खमार, पल्लाहारा ढेंकानाल	4-7-81 को 01.10 बजे निधन हो गया।
हताहत :					
1.	जानकी सुपुत्री दबारा रगरई	महिला	20 वर्ष	ग्राम---रेंगलमुण्डा डाकखाना---डूगरी थाना--खमार, पल्लाहारा ढेंकानाल	
2.	सुकुरमणि सुपुत्री चांदरमणि गगरई	तदैव	28 वर्ष	-तदैव-	

1	2	3	4	5	6
3.	चैतन चेतर सुपुत्र पीताम्बर चेतर	पुरुष	35 वर्ष	ग्राम—पास पहुरे डाकखाना/थाना-- सुकिन्दा जाजपुर, कटक	
4.*	गोकुल साहू सुपुत्र प्राणबंधु साहू	पुरुष	40 वर्ष	ग्राम--तबूला डाकखाना--छन्दीपाड़ा द्वारा अंगुल कोकामाल (के० को० लि०) सी० सी० एल० (के कर्मचारी)	

*गोकुल सा मेकेनिकल फिटर थे जिन्हें के० को० लि० (सी० सी० एल०) ने सीधे ही नियुक्त किया था। शेष व्यक्ति सामान्य मजदूर हैं जिन्हें सिविल ठेकेदार श्री महेन्द्र सिंह ने नियुक्त किया था।

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चोटों के विवरण और मृत्यु का कारण

क्रम० सं०	रोगी का नाम	चोटों के विवरण	क्या राख अथवा किसी अन्य पदार्थ से ढके हुए थे।	मृत्यु का सबसे अधिक संभावित कारण
1	2	3	4	5
1.	रमेश उर्फ रसकेई गगरई सुपुत्र चन्द्र गगरेई	100% जलना	राख से ढका हुआ	रक्त प्रवाह का अवरोधा से उत्पन्न सदमा
2.	चन्द्री मुण्डा सुपुत्र मोचीकुल्लाह	-वही-	-तदैव-	-तदैव-
3.	उच्छव पुरती सुपुत्र सुदर्शन पुरती	-तदैव-	-तदैव-	-तदैव-
4.	मध पुरती	90% जलना	-तदैव-	-तदैव
5.	तुलसी गगरई पत्नी सुरेश सिंह गगरई	100% जलना	--तदैव--	--तदैव-
6.	निरंजन मोहराना सुपुत्र सोना मोहराना	-तदैव-	-तदैव-	अत्यधिक जलने से गुरदे की असफलता
7.	मधुसूदन नायक सुपुत्र हातिया नायक	99% जलना	-तदैव--	-तदैव--
8.	राधा पत्नी मधुपुरती	80% जलना	-तदैव-	अत्यधिक जलने से फुफसीय रक्त स्रोत [illegible]
9.	सुरेश सिंह गगरई सुपुत्र सरत कुमार सिंह	100% जलना	-तदैव-	-तदैव-
10.	गुरुवारी सुपुत्री लोनी सिद्धू	-तदैव-	-तदैव-	अत्यधिक जलने के कारण द्वितीय श्वासन की असफलता
11.	जानकी सुपुत्री चन्द्रमणि गगरेई	15% से 20%	-तदैव-	स्वस्थ हो गया
12.	सुकु रमणि सुपुत्री चन्द्रामणि गगरेई	15%	-तदैव-	-तदैव-
13.	चैतन चेतर सुपुत्र पीताम्बर चेतर	5%	-तदैव-	-तदैव--
14.	गोकुल साहू सुपुत्र प्राणबन्धु साहू	35% से 40%	-तदैव-	-तदैव-

अनुबन्ध-8

निष्कासित सामग्री 180 मीटर × 90 मीटर के क्षेत्र में पंखे के आकार में फैल गई। यद्यपि यह अनुमान करना कठिन है कि काफी मात्रा में यह सामग्री कभी बाद की अवस्था में वायु से संचित हुई होगी। संचित सामग्री की कुल मोटाई जैसा कि खान सुरक्षा महानिदेशालय द्वारा प्रस्तुत प्लान में 11 प्वाइंट तक नोट की गई है, 39.70 मीटर है अर्थात् औसत मोटाई 36 सें० है। चूंकि उन दो बिन्दुओं पर कुल मोटाई का अधिक भार है जहां 8 सें० और 12 सें० मोटी राख है, अत: औसत को घटाकर 2.5 सें० किया जा सकता है।

राख का विशेष ग्रेड 1400 कि० ग्रा०/एम³ अथवा 88 पौं/घनफुट

आच्छादित क्षेत्रफल $= \pi r \theta = \frac{3.14 \times 90 \times 90 \times 100}{360}$

$= 7065$ एम²

∴ कुल आयतन $= \frac{7065 \times 2.5}{100} = 176$ एम³

∴ कुल भार = 247 टी० अर्थात् 250 टी०

दक्षिणी भाग की यह प्रारंभिक गतिशीलता 4 मीटर से 5 मीटर की ऊंचाई तक देखी गई और सबसे निचले तले की ऊंचाई लगभग 6 मीटर थी। तेल की पट्टी का उच्च सिरा और उच्च पट्टी के तल का मिलन बिन्दु को सबसे अधिक गर्म स्थान समझना चाहिए जहां से पदार्थ का निष्कासन हो सकता था। खदान के तले से ऊपर निष्कासन बिन्दु 6 मीटर (20') था।

पंखनुमा क्षेत्र में गुरुत्व का केन्द्र का $\frac{\Sigma td}{\Sigma t}$ जहां t = सामग्री की मोटाई और d = निष्कासन बिन्दु से दूरी

से आकलन किया जा सकता है।

∴ गुरुत्व का केन्द्र (सी० जी०) $= \frac{10400}{397}$

= 261 फीट अर्थात् 260 फीट

बिखरी हुई राख के त्रिकोण क्षेत्र पर विचार करते हुए गुरुत्व के केन्द्र निष्कासन बिन्दु से 2/3 दूर है अर्थात् 208 फीट की दूरी पर है।

यह आसानी से अनुमान लगाया जा सकता है कि निष्कासन के बिन्दु से लगभग 250 फीट की दूरी पर गुरुत्व का केन्द्र है। अथवा अन्य शब्दों में यह भी कहा जा सकता है कि 250 टं० सामग्री 20 फीट की ऊंचाई से 250 फीट की दूरी पर फैंकी गई थी।

अवपात की ऊंचाई को

पूरा किया जाने वाला समय टी० $= \frac{20}{16} = 1.11$ सेकिण्ड

250 फीट की दूरी को पार करने के

लिए गतिशीलता $= \frac{250}{1.11} = 225$ फीट/सेकेंड

25 फीट की दूरी पर 250 टी० के फैलने के लिए आवश्यक कुल गत्यात्मक ऊर्जा

$E_{के}$ = 1/2 म वी² = 1/2 × 250 × 225 × 225

= 13921 मिल० फु० पौ०

= 17.9 मि० बी० टी० यू०

पानी गैस का तापीय मूल्य 300 बी० टी० यू० घन फुट अथवा अधिक शुद्ध रूप में 100 बी० टी० यू० घन फुट माना जा सकता है। यदि इन दोनों पर विचार किया जाए तो निम्नलिखित आंकड़े प्राप्त किए जा सकते हैं:

300 बी० टी० यू० घन फुट   100 बी० टी० यू० घन फुट

(क) 17.9 मि० बी० टी० यू० के पैदा करने के लिए गैस की मात्रा = 59648 घन फुट
= 17894.44 घन फुट

(ख) आवश्यक वायु का आयतन / पानी गैस का घन फुट 2.2 घन फुट है।

∴ आवश्यक वायु का आयतन = 131225 घन फुट
3916776 घन फुट — (क) पर जली गैस की मात्रा।

(ग) आवश्यक बी ओ आई का कुल आयतन = 190873 घन फुट 5726220 घन फुट ताकि गैस की मात्रा अर्थात् (क) पर 100' × 100' × 20' अर्थात् 300' × 100' × 20' का विस्फोट हो सके।

अनुबन्ध-9

खंगरों (आग-मिट्टी/शिला खण्ड) के आपेक्षिक गुरुत्व का औसत जैसा कि उसका विश्लेषण किया गया और न्यायालय के समक्ष प्रस्तुत किया गया, 2.52 है अर्थात् सामग्री का भार 2520 कि० ग्रा०/एम³ अर्थात् 157 पौं०/घन फुट है।

3.3 पौं० (1.5 कि० ग्राम) आयतन के एक टुकड़े के लिए = घन इंच समान भुजाओं के घन को प्रत्येक भुजा 3.3 इंच होगी और इसलिए प्रत्येक ओर का क्षेत्रफल = 10.89 वर्ग इंच होगा अर्थात् 11 वर्ग इंच द्वारा कोनों को सुगमांक कर दिया जाए तो एक ओर का क्षेत्रफल 6 वर्ग इंच स्वीकार किया जा सकता है।

इस घटना से पूर्व 4 दिन तक 162 मि० मी० वर्षा हुई और वाष्प कार्बन प्रतिक्रियाएं हुई जो इस प्रकार हैं:—

(क) H_2O (पानी) — H_2O (वाष्प) — 19,040 बी०टी०यू०

(ख) $C + H_2O$ (वाष्प) — $CO + H_2$ — 52,200 बी०टी०यू०

(ग) $C + 2H_2O$ (वाष्प) — $CO_2 + 2H_2$ — 34,000 बी०टी०यू०

(घ) $CO + H_2O$ (वाष्प) — $CO_2 + H_2$ — 16,400 बी०टी०यू०

(ङ) $C + CO_2 - CO$ — 70,200 बी०टी०यू०

उनमें से अधिकांश प्रतिक्रियाएं अंतःतापीय हैं जिससे आग का तापमान कम हुआ होगा। सरलता से यह अनुमान किया जा सकता है कि यह तापमान लगभग 450° सें० (842° फे०) होगा। कोयला/स्तर में विभाजित करने वाले तल और अन्य स्वाभाविक विदर वर्गों और आग के क्षेत्र में से उत्पन्न वाष्प के दबाव में बन्द हो गए हों और वे 350 पी एस आई तक हो सकते हैं तथा 500° फे० तक अधिक गर्म हो सकते हैं अर्थात् कुल तापमान 431.9 + 500 = 831.9° फे० अर्थात् 450° सें० हो सकता था। 350 पी एस आई और 831.9° फे० पर अधिक गर्म वाष्प का 2.4 घन फुट/पौं० का विशेष आयतन है। कुल 1471.7 बी० टी० यू० की गर्म सामग्री है और 1.7422 का उत्क्रम माप है।

ऊपर बताए गए लक्षणों से युक्त वाष्प अन्ततोगत्वा अपेक्षाकृत समीप कोयला के खण्डों में बिखरने लगती है तब वह एकायक वायु-मंडलीय दबाव से प्रसारित होने लगती है और उसकी सतह का तापमान 35°सें०/40°सें० तक हो जाता है। यह प्रसार न तो रुद्धोष्म है और न समतापी है तथा इसे आइसेन-ट्रापी कहा जा सकता है। 1 ए टी एम दबाव और 100° सें० पर संतृप्त वाष्प की कुल ताप मात्रा 1150.4 बी० टी० यू० है। इसलिए एक खुले स्थान से एकायक प्रसार से निष्कासित ताप 1437.7 − 1150.4 = 287.3 बी० टी० यू० (सूत्र का कारण नाममात्र है जो खारिज किया जा सकता है) है। यदि कोई अपेक्षित

20 पी एस आई और 20° के०) जिसका उत्क्रम माप लगभग बराबर का अर्थात् 1 7456 रहता है) पर निष्कासित तार के बारे में विचार करे तो वह ताप 1473 7- 1165.7 अर्थात् 308 बी० टी० यू० है। इसका कोई अर्थ नहीं है कि किस प्रकार ताप निष्कासित होती है जब तक हम जली हुई राख और अंगारों के निष्कासन के कार्य में लगे रहते हैं। ऊपर दी गई दोनों मार्गदर्शी बातों पर विचार किया जाये तो यह अनुमान लगाया जा सकता है कि समान कार्य का 300 बी० टी० यू० प्रति पौं० वाष्प में काम आया था।

खुले स्थान के आकार का निर्धारण

176 एम^3 (6215 घन फुट) की 75 % रिक्तता

= 4661 घन फुट

350 पी एस आई और 500° फें० उच्च ताप पर 1 पौं० वाष्प

= 2.41 घन फुट रिक्त स्थान में

∴ रिक्त स्थान में 4661 घन फुट वाष्प

$$= \frac{4661}{2.41} = 1934 \text{ पौं०}$$

वाष्प का यह भार 1.11 सें० से अधिक काम करता रहा।

∴ भार/सें० = 1752 पौं०

∴ भार / घण्टा = 6272 4.31 पौंड

वाष्प के दबाव से उत्पन्न खुले स्थान का क्षेत्रफल आगे दिए गए सूत्र (फारमूला) से आंकलित किया जा सकता है —

वाष्प का पौं० —/घंटा/छिद्र का वर्ग इंच

= 51.43 पी

अर्थात् 6272431 × पी आई आर = 51.43 × 350

$$\therefore \text{छिद्र का क्षेत्रफल} = \frac{6272431}{51.43 \times 35'} = 384 \text{ वर्ग इंच}$$

अर्थात् लगभग 20" × 20" का खुला स्थान

इस प्रकार का खुला स्थान सामग्री के निष्कासन के तथ्य से मेल खाता है।

अनुबंध 10

1 फुट चौड़ी × .1 फुट गहरी × 1 फुट लम्बी ऐसी कोयला की कड़ी की कल्पना की जाये जो दोनों कगारों से रुकी हुई हो।

पूरे पाट के मध्य में कार्यशील कुल भार = डब्ल्यू० आई० एक्स पौं० जहां डब्ल्यू०— पौं०/घन फुट में कोयला के भार का संकेत है।

अधिकतम झुकाव घूर्ण,

$$M = \frac{Wl^2 \times \text{पौं०}}{2} = \text{फुट}$$

अवस्थित का घूर्ण,

$$I = \frac{1 \times x^3}{12} \text{फुट}^4$$

तटस्थ धुरी से दूरतम रेशा की दूरी

$$NN, {}^I y = \frac{X}{2} \text{ फुट}$$

विशुद्ध दबाव,

$$f = \frac{uy}{I} = Wl^2 \times \frac{xx}{2} \div = \frac{1 \times x^3}{12}$$

$$= \frac{Wl^2 x \times x12}{x^3 \times 2} = \frac{6Wl^2}{x} \text{lb/ft.}^2$$

$$= \frac{6Wl^2}{xx12} \text{ 2psi}$$

भारतीय कोयला सामान्यतया 81 पौं/घन फुट के भार का होता है।

एक फुट कोयला की व्यापक शक्ति 1200/1320 पी एस आई कोयला का तनन बल होता है जो लगभग संभव ही है जिससे तनन दबाव का 1/80 से 51/60 तक शुद्ध रूप निर्धारित किया जा सके। कोयला की शक्ति 50 पौं० एस० आई० होती है जब वह सूखा होता है। और 25 पौं० एस० आई० होती है जब वह गीला होता है।

इस विशेष उदाहरण में

W = 811 पौं०/घन फुट

I = 60 फी०

X = 20 फी० (कल्पित)

एफ० आई० ई० का माल दबाव पौं०/वर्ग इंच

$$= \frac{6Wl^2}{x \times 12} = 2$$

$$= \frac{6 \times 81 \times 60 \times 60}{20 \times 12 \times 12} = 607 \text{ psi}$$

25 पौं० एस० आई० के माल दबाव के गीले कोयला की अपेक्षा लगभग 24 गुना है और इससे वह कड़ी, गिर सकती है जो 60 फुट लम्बी × 20 फुट मोटी होती है। यदि कड़ी की मोटाई कम हो तो यह अपेक्षाकृत अधिक शीघ्रता से गिर जाएगी।

दुर्घटना के स्थल पर खदान की गहराई 52 मीटर थी और इसमें अधिभार 10 मीटर मोटाई का था। यदि 10 मीटर के इस अधिभार और 6 मीटर (20') चौड़ी कोयला परत को कम कर दिया जाए जो ऊपर से गिर गया हो तो अवपात की कुल ऊंचाई 36 मीटर होगी। राख में 75% रिक्त स्थान पर विचार करें तो प्रभावकारी मुक्त अवपात 27 मीटर (88') होगा।

$$v = \sqrt{\;} \; v^2 - u^2 = 2gs \text{ के सूत्र से } \; 2 \times 32 \times 88 = 75 \text{ फु०/सें०}$$

कोयला का भार 60' लम्बा × 20' चौड़ा × 20' मोटा

$$= \frac{60 \times 20 \times 20}{24.0} = 975 \text{ टी०}$$

= 1/2 एम वी^{2} = 1/2 × 975 × 1000 × 2.2 × 75 × 75

= 6032.812, 500 फुट पौं०

= 60320 लाख फुट पौं०

अन्य कारणों को भी ध्यान से नहीं हटाना चाहिए। दक्षिणी भाग से केवल 12 मीटर दूर पर घटना से पूर्व 20 दिनों में 3 बार के अन्तराल से 2500 कि० उच्च विस्फोटों का धमाका किया गया। तदनुसार सूत्र की दृष्टि से V = 73 √Q जहां V मीटर में दूरी Q = किलोग्राम में विस्फोटों की मात्रा का द्योतक है। इससे 96 मीटर तक खतरनाक भूकम्पीय प्रकंपन हुआ यदि सभी विस्फोट पदार्थ एक साथ मिलकर धमाका करे। इसका अर्थ यह है प्रकंपित लहरों ने आगे के क्षेत्र को अस्त-व्यस्त कर दिया और भविष्य में किसी भी दिन इनके धंसकने की परिस्थितियां उत्पन्न कर दी हैं। यदि 800 किलोग्राम विस्फोट का एक ही बार में धमाका किया जाता तो धरती के प्रकंपन 65 मीटर (जैसा कि सूत्र में बताया गया है) की अपेक्षा 50 फुट (15 मीटर) की दूरी तक यात्रा करते क्योंकि प्रत्येक अन्तराल के धमाके के कारण भूकम्पीय लहरों के न होने का प्रभाव होता।

यह विवादास्पद बात है कि क्या खदान के भाग के स्खलन से पूर्व निष्कासन/प्रस्फोट हुआ था अथवा दोनों ही एक साथ घटित हुए थे अथवा उस भाग के स्खलन से निष्कासन/प्रस्फोट हुआ था / 1 पदार्थ के निष्कासन से पूर्व कतिपय चश्मदीद गवाहों ने खदान तल से 4 मी०/5 मी० ऊपर खदान के मुख के चारों ओर कुल गति देखी थी। राख की जमा मोटी परत के अलावा कोयले के बड़े-बड़े टुकड़े और व्यावहारिक रूप से भी अधिभार खदान के निचले भाग और कोयला के ढेर में सीमित हो गए थे।

मेरी अपनी राय यह है कि कोयला तल में कुछ भी गति का होना प्रस्फोट की अग्र सूचना है जबकि कोयला की दीवार के पतले भाग में से होकर आन्तरिक दबाव फूटने वाला ही था और इस बात में यह बिलकुल स्पष्ट है। शायद उस स्थल के कुछ ऊपर प्रस्फोट हुआ। उस भाग के बड़े पैमाने पर स्खलन की घटना आग के क्षेत्र में से पदार्थ के निष्कासन के बाद ही हुई है। खदान के किनारे के साथ सतह पर देखी गई दरारें टेन्शन दरारें थीं जो अधिक पदार्थ के एकाएक सामान्य स्खलन से पैदा हुई हैं।

अनुबन्ध-2

राख, आग, मिट्टी/शिला खण्डों के टुकड़ों और नं. 2, संस्तर स्वस्थान कोयला राख के प्रयोगशाला के विश्लेषण के परिणाम तालिका में दिखाए गए हैं । इनसे पर्याप्त सुराग नहीं मिल पाता जिससे विशिष्ट निष्कर्ष निकाले जाएं । इसके अलावा राख के कई नमूने बहुत ही कम हैं (केवल-संख्या में 3 हैं) और दक्षिणी भाग के स्तर से कहीं दूर इन नमूनों को एकत्र किया गया था । राख के नमूने के प्रज्जवलन की हानि अलग-अलग है जबकि यह व्यापक रूप से यह बताती है कि कोयला-धूल ने इन नमूनों को संदूषित कर दिया था । राख के एक नमूने में की मात्रा 17 55% है और यह आग-मिट्टी/शिलाखण्ड के टुकड़े के नमूने में 17.00% है । इन दोनों में ही प्रज्जवलन की हानि अधिक है जो क्रमशः 8.37% और 7.36% है । इस नमूने की इस प्रकार की समानता और जो अन्य नमूनों की तुलना में बहुत अधिक अलग है, विशेषतया इसकी व्याख्या करना कठिन है जब कोयला राख स्वयं में Al_2O_3 की मात्रा 26.13%/26.11% है ।

फरवरी, 1982 के अंत में नमूने विश्लेषण के लिए दिए गए थे अर्थात् इस घटना के 8 महीने बाद नमूने प्रस्तुत किए गए थे । इस बात का कोई ठोस प्रमाण नहीं मिला कि इन नमूनों को क्षेत्र से वस्तुतः कब एकत्र किया गया था । वास्तव में नमूने के परिणाम न्यायालय के अंतिम अवस्था की जांच के समय प्रस्तुत किए गए थे जबकि प्रबंधकवर्ग और खान सुरक्षा महानिदेशालय दोनों को ही यह परामर्श दिया गया था कि वे न्यायालय की बैठक के पहले दिन भी विश्लेषण के परिणाम प्रस्तुत करें ।

मुझे इस निष्कर्ष पर पहुंचना पड़ा कि नमूने इस घटना के प्रतिनिधि नहीं हैं और केवल यही निष्कर्ष निकाला जा सकता है कि आग के क्षेत्र में काफी कार्बनयुक्त पदार्थ जल गया था ।

स्थान पी-83	ASH										प्रज्जवलन पर कमी	विशेष गैस	Cl	अ माइडेड
	SiO_2 %	Al_2O_3 %	Fe_2O_3 %	TiO_2 %	CaO %	MgO %	K_2O %	Na_2O %	P_2O_5 %	SO_3 %	%	%	%	
1. उत्तरी ऊंची दीवार के पास (राख)	66.16	23.76	4.28	1.60	0.44	0.12	0.52	0.30	0.62	ट्रेस	2.20	2.270		
2. उत्तरी ऊंची दीवार के किनारे (राख)	66.80	17.55	4.14	1.58	0.42	0.08	0.47	0.20	0.39	ट्रेस	8.37	2.509		
3. कर्षण साइन के पास (राख)	62.10	22.75	5.57	1.54	1.06	0.06	0.44	0.30	1.50	ट्रेस	4 68	2.791		
आग-मिट्टी /स्लेटी -पत्थर														
4. डी/एल धरश से 10 लम्बी खदान के उत्तरी किनारे से 135' की दूरी पर आग मिट्टी /स्लेटी पत्थर	62.61	30.30	3.43	1.42	0.38	0.10	0.40	0.37	0.77	ट्रेस	0.22	2.513		
5. दक्षिणी किनारे से 455 की दूरी पर उत्तरी किनारे से आग/मिट्टी स्लेटी-पत्थर	62.02	30.76	3.79	1.42	1.08	0.07	0.22	0.30	0.04	ट्रेस	0.30	2.650		
6. दक्षिणी किनारे से 400 की दूरी पर आग मिट्टी/ स्लेटी-पत्थर	67.20	17.69	4.28	1.30	0.58	0.06	0.40	0.20	0.93	ट्रेस	7.36	2.752		
7. दक्षिणी किनारे से '350' की दूरी पर आग- मिट्टी स्लेटी पत्थर	63.50	30.91	1.57	2.50	0.07	0.12	0 0	0.28	0 15	ट्रेस	0.50	2.436		
8. दक्षिणी-किनारे से 300' की दूरी पर आग-मिट्टी / स्लेटी पत्थर	65.50	26.11	3.92	1.80	0.11	0.04	0 3[illegible]	0.20	0.10	ट्रेस	1.95	2.555		
9. उत्तरी ऊंची दीवार के भाग के पास आग-मिट्टी / स्लेटी पत्थर	65.70	29.32	2.14	1.78	0.06	0.04	0.50	0.22	0.01	ट्रेस	0.23	2.452		
कोयला- राख														
10. नं० 2 संस्तर छत से 20' नीचे कोयला जो अप्रभावित रहा	64.66	26 13	[illegible].50	4.44	0.10	0.08	0.72	0.30	0,38	0.46	0.03	0.20		
11. कोयला, नं० 2 संस्तर का उच्च सिरा	66.70	26.11	1.50	3.60	0.10	0.12	0.68	0.34	0.23	0.40	0.04	0.18		

अनुबन्ध-12

प्रदर्श की सूची

क्रम सं०	प्रलेखों /कागजात के विवरण	प्रदर्श संख्या	अन्य विवरण
1	2	3	4
क.	निदेशक, खान सुरक्षा, भुवनेश्वर द्वारा प्रस्तुत दुर्घटना की रिपोर्ट दिनांक 13-7-81	सी० प्रदर्श 1	
ख.	प्रबंधकवर्ग द्वारा प्रस्तुत लिखित वक्तव्य, दिनांक 14-12-81	प्रदर्श एम० 1-32	
1.	पृष्ठ 1 से पृष्ठ 35 तक विवरणात्मक रिपोर्ट	एम 1	
2.	तालचेर कोयला क्षेत्र का भूवैज्ञानिक प्लान	प्रदर्श एम 2	अनुबन्ध - 1
3.	तालचेर कोयला-क्षेत्र की कोयला खानों का प्लान	प्रदर्श एम 3	अनुबन्ध - 2
4.	जगन्नाथ कोयला-खान का कार्यकारी प्लान	प्रदर्श एम 4	अनुबन्ध - 3
5.	24-6-81 को कार्यरत व्यक्ति	प्रदर्श एम 5	अनुबंध- 54
6.	जगन्नाथ कोयला खान के क्षेत्र में प्रबंधकवर्ग की संरचना	प्रदर्श एम 6	अनुबंध- 5(क)
7.	जगन्नाथ कोयला-खान के छोटे कर्मचारियों की सूची	प्रदर्श एम 7	अनुबंध- 5 (ख)
8.	जगन्नाथ कोयला खान मार्गदर्शी (पायलट) खदान की दुर्घटना प्लान दिनांक 24-6-81	प्रदर्श एम 8	अनुबंध- 6
9.	निदेशक खान सुरक्षा भुवनेश्वर का पत्र सं० 2471	प्रदर्श एम 9	अनुबंध- 7(क)
10.	डी० ई० एम० ई० एस० वी० सी० का पत्र संख्या 14/0/वायलेशन्स/ 78/ 14616-17 दिनांक 7-11-78	प्रदर्श एम 10	अनुबंध- 7(ख)
11.	6/81 की वर्षा की रिपोर्ट	प्रदर्श एम 11	अनुबंध- 8
12.	दुर्घटना में ग्रस्त व्यक्तियों के विवरण	प्रदर्श एम 12	अनुबंध-9(क)
13.	24-6-81 को हताहतों की चोटों के प्रकार तथा उनकी मृत्यु के कारणों का विवरण पत्र	प्रदर्श एम 13	अनुबन्ध - 9(ख)
14.	प्रबंधकवर्ग का मसौदा वक्तव्य का अनुबंध-10	प्रदर्श एम 14	
15.	फोटो "सतह दरार" 1 क	प्रदर्श एम 15	
16	फोटो "छिद्र दरार" 1 ख	प्रदर्श एम 16	
17.	फोटो "गोलाई-नुमा नाली") 1 ग	प्रदर्श एम 17	
18.	फोटो "फेंकी गई राख और पत्थर के टुकड़े"	प्रदर्श एम 18	
19.	फोटो 3 क "फेंकी गई राख और पत्थर के टुकड़े"	प्रदर्श एम 19	
20.	फोटो 3 ख --तदैव--	प्रदर्श एम 20	
21.	फोटो 4 "आग पर कोयला- ढेर"	प्रदर्श एम 21	
22.	फोटो 5 --तदैव--	प्रदर्श एम 22	
23.	फोटो 6-क- --तदैव--	प्रदर्श एम 23	
24.	फोटो 6-ख --तदैव--	प्रदर्श एम 24	
25.	फोटो - 7 "दक्षिणी भाग का ढाल"	प्रदर्श एम 25	
26.	फोटो 8 "वर्षा के पानी द्वारा आग-मिट्टी के मल की नाली बनाना	प्रदर्श एम 26	
27.	फोटो "नुकीले किनारे पर गर्म राख का संचय"	प्रदर्श एम 27	
28.	फोटो - 10 "चट्टान के स्थल पर धंस जाना"	प्रदर्श एम 28	
29.	फोटो-11 "कामगारों के पद चिन्ह"	प्रदर्श एम 29	
30.	फोटो -12 "छिली हुई खाल"	प्रदर्श एम 30	
31.	फोटो-13 टूटा -फटा जूता'	प्रदर्श एम 31	
32.	फोटो "अंशत: जला हुआ कपड़ा"	प्रदर्श एम 32	
ग-	के० को० लि० (सी० सी० एल०) द्वारा प्रत्युत्तर दिनांक 7-1-82 जो तालचेर कोयला-खान मजदूर संघ (टी० सी० एम० एस०) द्वारा डब्ल्यू० एस० को प्रस्तुत किया गया	प्रदर्श एम 33	
घ-	के० को० लि० (सी० सी० एल०) द्वारा प्रत्युत्तर दिनांक 7-1-82 जो डी० सी० एम० यू० (डेडवेलवेरा) द्वारा डब्ल्यू० एस० को प्रस्तुत किया गया	प्रदर्श एम 34	
ङ-	के० को० लि० (सी० सी० एल०) द्वारा प्रत्युत्तर दिनांक 7-1-82 जो सी० सी० एल० यू० द्वारा डब्ल्यू० एस० को प्रस्तुत किया गया	प्रदर्श एम 35	

1	2	3	4
ब-	के० ई० अ० स० सी० एफ० आर० आई० की रिपोर्ट दिनांक 5-1-82	सी- प्रदर्श -2	
छ-	के० खा० अ० के० सी० एम० आर० एस० की रिपोर्ट दिनांक 4-1-82	सी- प्रदर्श- 3	
ज-	के० खा० अ० के० सी० एम० आर० एस० के डाक्टर टी० एन० सिंह की कोयला खान आग की स्थिति की रिपोर्ट जो 15-4-82 को प्रस्तुत की गई	सी- प्रदर्श -4	
झ-	एम० पी० ढेंकानाल से प्राप्त शव परीक्षा की रिपोर्ट	सी- प्रदर्श- 5	
अ-	"माइन डिजेस्टर्स इन इण्डिया (भारत में खान दुर्घटनाएं)" से उद्धरणों की फोटोस्टेट प्रति	सी- प्रदर्श- एम 36	
ट-	बेड हेड टिकटों की फोटोस्टेट प्रति		
	पृष्ठों की संख्या		
	8 प्रदर्श एम 37 जानकी गगरेई		
	7 प्रदर्श एम 38 चेतन चेतन		
	7 प्रदर्श एम 39 सुकरमणि गगरेई		
	8 प्रदर्श एम 40 गोकुला साहू		
	2 प्रदर्श एम 41 रसकईक/रमेश		
	3 प्रदर्श एम 42 चन्दे मुण्डा		
	2 प्रदर्श एम 43 उच्छब पुरस्ती		
	2 प्रदर्श एम 44 मधु पुरस्ती		
	5 प्रदर्श एम 45 तुलसी गगरेई		
	9 प्रदर्श एम 46 भिरंजन मोहराना		
	17 प्रदर्श एम 47 मधुसूदन नायक		
	21 प्रदर्श एम 48 राधा		
	22 प्रदर्श एम 49 रेन सिंह		
	24 प्रदर्श एम 50 गुरुवारी		
ठ-	प्रबंधक वर्ग द्वारा प्रस्तुत विवरण पत्र जिसमें दुर्घटना से ग्रस्त हताहतों के जलने की फी चोटों के उपचार के लिए किए गए व्यय के विवरण दिए गए हैं।	एम० प्रदर्श 51	
ड-	के० खा० अ० के० (सी० एम० आर० एस०) द्वारा तैयार की गई झीगुडडा खान में सतह कोयला आग	प्रदर्श 52	
ढ-	के० ई० अ० सं० (सी० एफ० आर० आई०) द्वारा प्रस्तुत उस अंतिम रिपोर्ट नं० टी आर/80/9/-आर की फोटोस्टेट प्रति जो झीगुडडखानें में स्वतः आग के संकटों की छान-बीन तथा उनके निवारण के उपाय दिखाती है।	प्रदर्श 53	
ण-	13-2-82 के आदेशानुसार प्रबंधकवर्ग द्वारा प्रस्तुत रासायनिक विश्लेषण की रिपोर्टें	प्रदर्श एम 54 (क) से एम 54 (ढ) तक	
त-	प्रबंधक वर्ग द्वारा प्रस्तुत मुआवजा रिपोर्ट	प्रदर्श एम 55	
थ-	जे० एन० सी० की विस्फोट रिपोर्ट	प्रदर्श एम 56 } प्रबंधक वर्ग द्वारा	
द-	खान सुरक्षा महानिदेशालय के अधिकारियों की जांच रिपोर्ट	प्रदर्श एम 57 } 4-3-82 को प्रस्तुत।	

[फा० सं०-11015/6/82-एम०आई०]

जे० के० जैन, अवर सचिव

New Delhi, the 16th February, 1983

S.O. 1503.—In pursuance of section 27 of the Mines Act, 1952 (35 of 1952), the Central Government hereby publishes the following report submitted to it under sub-section (4) of section 24 of the said Act by the Court of Inquiry appointed to hold an inquiry into the causes of and circumstances attending the accident which occurred on the 24th June, 1981, in the Jagannath Colliery in Dhenkenal District, State of Orissa.

REPORT OF THE COURT OF INQUIRY ON THE CAUSES OF AND CIRCUMSTANCES ATTENDING THE ACCIDENT ON THE 24TH JUNE, 1981 AT JAGANNATH COLLIERY IN DHENKANAL DISTRICT OF ORISSA STATE

LIST OF PHOTOGRAPHS

No. Discription

1. Shows surface crack running parallel to the southern edge of the quarry. The crack can be traced extending into the far background.
2. Shows a pot-hole in the line of a crack on the top of south side of the quarry.
3. Shows ash and other pieces thrown on the quarry bed, The view is taken from near the dragline racing south-west. The dragline coal heap is covering the entire width of the photograph. The background shows south side west of the slide. An area relatively bare of scattered pieces is visible in the right side of the photograph. The areas in front and behind this bare path are strewn with many pieces.
4. Shows ash and burnt pieces spread on the quarry bed. North quarry side and dragline are in the background. The dragline coal heap is in the right foreground. In this photograph also the relatively bare patch is visible towards north of the coal heap.
5. This photograph was taken from the N-3 corner of the quarry surface. The dragline coal heap is visible on top of the dragline body. The slide material is seen below the top half of dragline boom. The condition of benches on south side west of slide can be seen in the

background. Foreground left shows the dragline pit filled with water.

6. This is similar to No. 5. It gives an idea about the condition of south side east of the slide. The tip of the dragline coal heap is behind the midpoint of dragline boom. The slid material can be seen resting against the coal heap south of it.

7. This was taken from south side surface. The shed towards right housed a pump. It also shows the spread of ash towards east and on north side. In the top background the haul road and a line of cavities formed by natural agencies are visible.

8. Shows the top of north side and the switch room shed. it also shows the spread of ash towards west and foot prints of workers.

9. Shows the slide. The dragline coal heap is in the foreground left corner. Behind this is slide material. On the right hand side of the slide coal benches on fire are visible.

10. Shows pealed off skin.

11. Shows deformed shoe.

12. Shows partly burnt clothes.

ABBREVIATIONS USED

1. C.C.L.	Central Coalfields Ltd.
2. C.M.O.A.I.	Coal Mines Officers' Association of India.
3. C.C.L.W.A.	Central Coalfields Ltd. Workers Association.
4. C.M.R.S.	Central Mining Research Station.
5. C.F.R.I.	Central Fuel Research Institute.
6. C.M.R.	Coal Mine Regulations, 1957.
7. D.G.M.S.	Directorate General of Mines Safety.
8. D.G.M.S. Report	Report of enquiry conducted by the Director of Mines Safety, Bhubaneswar.
9. D.C.L.U.	Dera Colliery Labour Union.
10. D.C.E.U.	Deulbera Colliery Employees' Union.
11. M.S.L.	Mean Sea Level.
12. O.C.L.U.	Orissa Coalfields Labour Union.
13. O.C.M.C.U.	Orissa Colliery Mazdoor Congress Union.
14. T.C.M.S.	Talcher Colliery Mazdoor Sangh.

PART—I

1. PRELIMINARY :

1.1. At about 1 p.m. on the 24th June, 1981 an accident took place in Jagannath Colliery, Talcher Coalfields, situated in the district of Dhenkanal, Orissa, when a large quantity of hot ash and dust ejected from the southern side of the quarry spread over a wide area. Fourteen workers then present about 60 metres away from the side were engulfed in the cloud of ash. They received burn injuries. Ten of them succumbed to their injuries within 10 days of this occurrence and the remaining four received serious bodily injuries.

1.2. The Government of India in Ministry of Labour being of opinion that a formal inquiry into the causes of and the circumstances attending the accident ought to the held, appointed me by a Notification No. N. 11012/10/81/MI. dated 1-9-1981 to hold such inquiry under section 24, sub-section (1) of the Mines Act, 1952. By the same notification the following persons were appointed to act as Assessors in holding the inquiry —

1. Shri Damodar Pandey,
Joint General Secretary,
Rashtriya Colliery Mazdoor Sangh,
Ramgarh Contonment.

2. Shri H. B. Ghosh,
Retired Chairman and Managing Director,
Central Mine Planning & Design Institute,
13/G/2 Shankharipara Road, Calcutta.

1.3. On 1-10-81 I issued a public notification that I would sit in Talcher on 12-11-1981 and receive any petition from any interested party in this case.

1.4 I started hearing in public at 10 a.m. on 12-11-1981 at Talcher. I decided in consultation with all the parties present, Assessors and the Director-General of Mines Safety, that the parties should represent their cases themselves instead of through Lawyers. At the first sitting of the Court, only Orissa Coalfields Labour Union (hereinafter referred to as OCLU) declared their intention to participate in the proceedings of the Court and submitted their written statement. Other parties while expressing their desire to participate requested for more time for submission of written statements. They were directed to submit the same by 14-12-1981, so that all the written statements could be circulated amongst all the parties concerned and rejoinders to written statements could be received by 31-12-1981.

1.5. At the same sitting the Director-General of Mines Safety (hereinafter referred to as DGMS) submitted their report of inquiry (hereinafter called DGMS report) conducted by the Director of Mines Safety, Bhubaneswar Region. Copies of this report were distributed to the parties the same day.

1.6. I decided to hold subsequent sittings of the Court at the office of the Board of Revenue, Cuttack.

2. Inspection of Mine :

In the afternoon the same day I inspected pilot pit of Jagnnath Colliery along with the Assessors. The occurrence of the accident was explained to us by the management and also the DGMS on the spot. No work was being done in the quarry and there was large accumulation of water in the quarry bed.

3. Appearance of More parties :

3.1. The following parties submitted their written statements on 14-12-1981. With this number of participating parties came to eight.

(1) C.C.L. Workers Association (CCLWA).

(2) Dera Colliery Labour Union (DCLU).

(3) Deulbera Colliery Employees' Union (DCEU).

(4) Orissa Colliery Mazdoor Congress Union (OCMCU).

(5) Talcher Colliery Mazdoor Sangh (TCMS) affiliated to INTUC.

(6) Central Coalfields Ltd. (CCL).

(7) Coal Mines Officer's Association of India (CMOAI)

3.2. On 7-1-1982 the CCL filed 3 rejoinders and also a list of witnesses proposed by them to be examined in the Court.

3.3 DCLU was given copies of the written statements on 7-1-1982 and was directed to file rejoinders, if any, on 8-1-1982. In a similar manner the CCLWA and TCMS were directed to file their rejoinders on 8-1-1982. All unions were directed to submit lists of witnesses and draft issues on 8-1-1982.

3.4. Rejoinders were filed by CCLWA, DCLU, DCEU, TCMS and OCLU on 8-1-1982. The CCL submitted a list of 3 additional witnesses, who were eye witnesses to the accident, to be summoned to appear in the court, TCMS suggested that Shri P. C. Das, a blasting foreman, may be summoned as a witness in addition to the eye witnesses already listed. The list of witnesses as given at Annexure-I contains the names of all the witnesses suggested by the parties and the names of court witnesses also.

3.5 OCLU submitted a list of 12 witnesses to be examined. On enquiry Shri P. C. Sahu, President of this union, men-

tioned that none of them had any direct knowledge of this particular incident and that they could only give evidence of other accidents and general safety measures adopted by the management. As these were outside the purview of this court, I decided that none of them need be invited to give evidence.

4. Issues framed :

4.1. In the sitting of the court on 8-1-1982 the following issues were finally framed :—

(i) What are the causes that led to this accident?

(ii) Were all the safety measures prescribed in the Act, Rules or orders issued thereunder properly followed by the management? Were these measures adequate?

(iii) How can such accidents be prevented in future?

4.2. DGMS report which had already been circulated among the Parties and which had also been commented upon by some of the parties in their written statements was accepted as Court Exhibit No. I. The written statement filed by the management alongwith Annexure containing plans and photographs and the 3 rejoinders filed by them were taken as exhibits M-1 to M-35. Other parties had no objection to this.

5. CMRS and CFRI :

5.1. Assessor, Shri H. B. Ghose, on a perusal of the DGMS report, pointed out that something unique had apparently happened and expressed the view that it was necessary to have the matter investigated thoroughly through experts. I, therefore, requested the Central Mining Research Station, Dhanbad and the Central Fuel Research Institute, Digwadih to send their experts to Jagannath Colliery to investigate the causes of this accident. Accordingly letters were addressed requesting them to submit reports to this court by 11-1-82.

5.2. The CFRI deputed Shri D. K. Bhattacharya, a scientist, and the CMRS deputed a team of scientists consisting of Dr. T. N. Singh, Dr. S. C. Banerjee and Shri B. D. Baliga. They visited Jagannath Colliery between 23rd and 25th December, 1981. They were assisted by the Director of Mines Safety, Bhubaneswar and officials of CCL and Central Mine Planning and Design Institute. The investigation reports were received before 11-1-1982 and are reproduced at Annexure II and III.

6. Examination of Witnesses :

6.1. The Court held sitting on the following days and completed the examination and cross examination of all the witnesses—11th, 12th and 13th February, 4th, 5th and 6th March, 15th, 16th and 17th April, 6th, 7th and 8th May and 5th June, 1982. Dr. T. N. Singh, Scientist of CMRS, and Shri D. K. Bhattacharyya of CFRI were also examined as court witnesses and cross examined by some parties.

6.2. The examination of the witnesses was concluded on 5-6-82 and the arguments commenced. The arguments continued till 7-6-82. All the parties were allowed to argue their respective cases. CCL, CCLWA, TCMS, DCEU, OCLU and CMDAI argued while DCLU filed a written argument. With the conclusion of the arguments on 7th June, 82, public sittings of the court were over.

PART—II

7. General Information :

7.1. Jagannath Colliery, where this accident occurred, is one of the six collieries worked by CCL in Talcher coalfield.

7.2. Talcher coalfield which extends over 2500 sq. km., occurs between latitute 20°-55' and 21°-05'N and longitudes 84°-20' and 85°-33' E. The entire coalfield lies in Dhenkanal district of Orissa It is connected by a 100 km. long broad gauge railway line to South Eastern Railway main line at Nergundi junction near Cuttack. It is also connected by a 14 km. long approach road taking off from Banarpal on National Highway No. 42 which connects National Highway No. 5 at Nergundi and National Highway No. 6 at Sambalpur Talcher coalfield is in close proximity to Talcher and Angul sub-divisional headquarters. It is about 70 km. from district town of Dhenkanal and 155 km. from state capital, Bhubaneswar by road.

7.3. Coal mining was first started in this coalfield way back in 1921 when M/s. Bengal Nagpur Railway Co. Ltd. and M/s. Madras and South Marhata Railway Co. Ltd., opened Deulbera and Talcher collieries respectively. M/s. Villiers and Co. Ltd., a private company, started Handidhua colliery. All these mines were underground and worked Talcher No. 1 seam for supply of coal to railways. With the formation of National Coal Development Corporation Ltd. (NCDC) in October, 1956 the ownership of Talcher and Deulbera Collieries vested in NCDC. In early sixties NCDC took up intensive exploration programme in Talcher and opened up three mines, namely South Balanda (opencast), Jagannath (opencast) and Nandira (underground). After nationalisation of coalmines in 1973 all the mines of the area except Handidhua were owned by Coal Mines Authority Ltd., from 9-7-73. With the formation of Coal India Ltd., on 1-11-75 with Central Coalfields Ltd. as a subsidiary company, the ownership of the mines was transferred to CCL. Handidhua Colliery was taken over by CCL on 24-11-79 from the State Government of Orissa.

7.4. At the material time, all the shares of CCL were held by M/s. Coal India, Ltd, In turn all the shares of M/s. Coal India Ltd. are held by the President of India. This Company and/or its Board of Directors function subject to directions and control of the Government of India, in Ministry of Energy.

7.5. There were 6 working mines in Talcher area with a production potential of 1.36 million tonnes of superior coal and one million tonnes of power grade coal per annum. In 1980-81 this area produced 1.5 million tonnes from open cast and 0.6 million tonnes from underground. The total employment in this area was about 7000 of which about 3000 were employed undergrounds.

7.6 The topography of the area is more or less flat. The general elevation above MSL varies from 112m to 137m. The main drainage is controlled by Brahmani river with a south-easterly flow almost along the eastern extremety of the coalfield.

7.7. Summer is severe. Maximum temperature in May/June rises up to 49°C. Humidity is also high. Winter is hardly perceptible. Monsoon breaks out in the middle or at the end of June and continues up to October. The annual rainfall is about 1100 mm. to 1500 mm.

8. Geology of Talcher Coalfield

8.1. Talcher coalfield, named after Talcher town, lies in the valley of Brahmani river (vide Plan No. 1). Though the sequence of coal seams in the Raniganj formation have not been established, 12 coal seams have been encountered in different boreholes varying in thickness from 1.3 to 5.3 m. The coal seams are of poor grade.

8.2. The general strike of the beds is E-W with low northerly dips around 4° to 5° in the south-eastern part of the coalfield where the present collieries are located. However, in the northern part Barakarship southerly, the south-eastern part of the coalfield is faulted. Since the area is covered by a mantle of soil, suboil and conglomerates the faults are not discernible on the surface.

9. Jagannath Colliery

9.1. This opencast project comprising of a total surface area of 593 acres was started in the year 1970-71. There are eight major faults in this property. These faults generally run east-west and have variable throws. Mining operations of Jagannath Colliery were first started in a quarry in the through of two major faults. This quarry was named as Pilot quarry. Later another quarry named Main quarry was started. At the time of the accident these were the only two pits working At Pilot pit No. 3 seam about 9m thick occurred at a depth of about 12m followed at depth by No. 2 seam, about 35m thick with a parting of about 6m with No. 3 seam The coal is of low rank, high volatile and non-coking type. The total reserves in Jagannath Colliery is about 35 million tonnes. The grade of coal is 'F' suitable for thermal power generation.

9.2. Jagannath coal is mainly consumed by Talcher Thermal Power Station, the boilers of which were designed to burn high ash coal from this mine. Other consumers are Egmore Thermal Power Station and local brick and other industries. In the year 1980-81 this colliery produced 0.85 million tonnes. In quarter ending June, 1981 production was 40,000 tonnes per month with an employment of 540 persons. The mine is highly mechanised. Dumpers, shovels, payloaders and draglines are in use.

9.3. As already mentioned earlier there are two pits, namely Pilot and Main quarries, in this colliery. The pilot pit, where this accident occurred is generally about 800m × 240m × 45m deep. In the floor of quarry bed there is 15m. of coal Pilot quarry is situated in a trough of two main strike faults running E-W. The south side fault has a throw of 120m. The hade is unknown. North side of the trough has more than one fault at places. These faults have relatively small throws (not exceeding about 30m) and steep hade.

9.4. Plan No. 2 shows a line of fault on the south side of Pilot quarry. This was copied from the geological plan. The position is evidently not correct and therefore has been shown by broken lines. After the incident 2 patches of smooth surfaces were exposed. These give an appearance of a fault plane. But hade is rather flat. This may not be the fault This also has been shown on the section with broken lines. All these broken lines have been shown on the plan mainly to draw attention to the fact that there is a fault plane around.

9.5. While working the south side, the fault plane was not exposed. Some coal was left against the fault plane reportedly to avoid running into disturbed strata.

10. Management :

10.1. The line of management was Shri A. Pani, Area General Manager, Shri A. K. Tripathy, Project Officer or Agent and Shri S. K. Dey, Manager of the mine. Shri Dey was on leave from 21st to 26th June. During this period Shri A. K. Nayak, Safety Officer of the mine, was acting as Manager. Annexure IV indicates the management structure at the Area level along with that of Jagannath Project.

10.2 Shri Pani is a Graduate in Mining Engineering from Indian School of Mines and held a First Class Manager's Certificate (Coal). After Graduation he worked in mining Industry for nearly 28 years in various capacities. About 12 years of this period was in mechanised opencast mines like Kathara, Singrauli and Talcher area. At Singrauli he worked for 3½ years as Project Officer and another 3-1/2 years as General Manager. He was working as General Manager of Talcher area since May, 1979 with a break of few months in between.

10.3. Shri A. K. Tripathy is a Graduate in Mining Engineering from Indian School of Mines and held a First Class Manager's Certificate (Coal). He had about 14 years of experience including 3 years in mechanised opencast mines. He has been working as Project Officer or agent of Jagannath Colliery since August, 79.

10.4. Shri S. K. Dey is a Graduate in Mining Engineering from Calcutta University. He held a First Class Manager's Certificate (Coal). He has 14 years of experience in mining including 3½ years in mechanised opencast mines. He has been working at Jagannath Colliery since February, 78. He started as Assistant Colliery Manager and was promoted as Manager from August, 1980.

10.5. Shri A. K. Nayak is the Safety Officer of the mine and was acting as Manager on the day of accident. He is Graduate in Mining Engineering from Calcutta University and also a holder of First Class Mine Manager's Certificate (Coal).

10.6. The Manager was assisted by one First Class Assistant Manager, one 1st Class Safety Officer and two Second Class Assistant Managers on the mining side. On the engineering side he had one Colliery Engineer, one Superintending Engineer and four Executive Engineers. A list of the mine officials is given at Annexure-V.

11. Method of Work :

11.1. Pilot quarry was started near borehole No. NCTB 82 by a P&H 1855 dragline progressing from east to west. After coal was exposed, the dragline also extracted some coal from the exposed area and the coal was side-cast into the surface wherefrom it was transported to South Balanda coal handling plant. After the preparation of a temporary haul read to the top of the coal bench, one shovel with dumpers was deployed for the removal of overburden as well as extraction of the top bench coal.

11.2. After sometime the P&H 1855 dragline was withdrawn and a newly erected ESH 4/45 dragline was engaged in Pilot quarry. The dragline was used for preparation of the haul road on the northern edge of Pilot quarry along the fault plane. In addition there were two shovels—one was used for removal of overburden while the other was used for coal production. After the extraction of top bench, the intervening stone parting was removed by shovel and below the parting coal of No. 2 seam was worked in benches, 6 to 10m. high, by shovel-dumper combination.

10.3. The total depth of the quarry from the surface was envisaged to be around 60 metres for complete extraction of No. 2 seam (also called Jagannath Seam). As such, it was not possible to deploy shovel-dumper combination for working upto the floor of the seam in view of the restricted North-South width of the quarry between the two faults. It was, therefore, decided to deploy a dragline for extraction of the bottom bench of about 12m. thickness.

11.4. By the end of 1980 a dragline was brought to this pit to lift the floor coal. It started working on the quarry-bed from the east end. The coal was soft-blasted for convenience of dragline operation. For improved efficiency of blasting a key out was made to provide an additional free face by blasting a 5m. wide strip along the south side leaving about 9m. of coal from the toe of bottom bench. About 12m. of the floor coal was being extracted by the dragline in this manner.

11.5. The dragline used to dump the coal in a heap on the quarry-bed wherefrom the coal was moved out by pay loader-dumper combination.

11.6. Except where disturbed by fire and slide the south side of the quarry was in the form of benches. The bottom-most bench (in coal) in the south side nearabout the place of incident was about 6m. high and 8m. wide. At the place where the incident occurred this bench existed, though most of it was on fire. At the toe of this bench there was solid coal. The key-cut started from 6m. farther east of this place. Water from west side used to flow along this toe area into the east side pump erected by dragline operation. At this place (later covered by the fallen material) there was no accumulation of water as such.

12. Shifts worked, Supervision & Employment :

12.1. The mine worked in 3 shifts of 8 hours each—first shift starting at 5 a.m. There was also a general shift for certain categories of workers from 7 a.m. to 3.30 p.m. with a break of half an hour.

12.2. In the Pilot quarry the dingline normally worked in all the three shifts. Transport of coal from the quarry bed was done with the help of pay loaders and dumpers and usually in 2nd shift only.

12.3. The two 2nd class assistant managers rotated in shifts leaving one shift without an assistant manager. In each shift there were one overman and one mining sirdar for both the working quarries.

12.4. For blasing there was one blasting foreman (holding an overman's certificate) assisted by a shortfirer. Blasting in Pilot quarry was done once in 10 to 14 days. Last blasting in this pit was done on 9-6-81.

12.5. The dragline crew consisted of 7 persons, while pay loader engagement required 9 persons including one foreman and 5 haulpack operators. In addition to the above two pump operators were employed in each shift.

13.1. As has been mentioned earlier the south side of Pilot quarry was close to a major fault plane. A fire was observed on this side in the last week of May 1977. It was followed by some more fires in the same and subsequent years. Attempts were made to dig out the fire and quench it. It is reported that some of these fires were dealt successfully. Since then some more fires occurred in Pilot pit south side in virgin coal seam and some fires continued to burn. These fires or spontaneous heating occurred in disturbed coal generally. There were patches of solid (undisturbed by cracks etc.) coal on the south side without any fire. On the north side also there was a fire in coal along a fault plane. As a result of the burning away of coal by fire and partly due to other reasons there had been a number of side falls along the south side. In the portion of the south side which fell down in this accident the 6m high toe-bench (in coal) was on fire and there were 3 to 4 patches on fire in the upper horizon of the seam. Most of the toe bench at this place was on fire. The bench immediately above was also on fire but to a lesser extent.

13.2 The coal was highly susceptible to spontaneous heating. The ignition and crossing points of this coal had not been determined. The coal was highly interbended with bands of carbonaceous shale It is reported that coal dumped in the stock caught fire after a period of 2 or 3 months. Results of proximate and ultimate analysis are given below:—

Proximate		Ultimate	
Ash	34.93%—30.81%	Carbon	42.—43%
Moisture	6.43%—3.80%	Hydrogen	2.7—3%
V.M.	24.07%—36.19%	Nitrogen	1.1—1.2%
F.C.	34.57%—30.87%		
U.H.V.	3191 K. Cal/Kg—3938		

13.3. Management claim that various methods had been tried out to extinguish fires occurring on the south side. These included digging out of the fire and quenching with water jet. But according to their experience there used to be re-emergence of fire after some time in many cases.

13.4. As a result of the burning of coal seam and slides on the southern side cracks had developed on the surface. These cracks were 15m. wide at places and ran parallel to south side top edge. At one place a small pothole had also formed in the line of a crack. To divert rain water away from the quarry a girland drain was provided along the south side outside these cracks.

14. Precautions Against Fire and Slide :

14.1. As mentioned earlier side falls had occurred in patches on a number of occasions in the past when small clouds of hot dust had been raised. But none of these had spread far. In one specific instance on 12-6-80 eight workers were engaged in making a roadway at the east end through a contractor. As stated by the agent these workers were making steps. Some hot material had rolled down from a height of about 4/5m from south side and raised a hot dust cloud. Five of the contractors men working about 6m. away received minor burn injuries. This was not a reportable accident or occurence. In all theses cases of falls and consequent dust cloud the spread of both fallen materials and dust cloud remained confined to a short distance of the toe.

14.2. Management claims that based on the above experience they were observing the precautionary measures detailed below. There was nothing in writing to this effect.

1. A dragline was introduced by end of 1980 and worked along the north side. This eliminated the necessity of any employment within about 25m. of the south side for winning coal.

2. The drilling and blasting crew, however, had to go closer. But they were not required to go closer than 10m. from the toe and their employment was required only once in about every 10 to 14 days.

3. Pumping was done from the north side.

4 The dragline dumped coal about 18m away from south toe. This coal was lifted by pay loader.

15. Rainfall :

Annexure VI may be seen. It will be observed that there was heavy rain on 20th June followed by heavier showers (105mm) on 21st. There were rains on 22nd and 23rd also. The rainfall was recorded at south Balanda Colliery situated adjacent to Jagannath Colliery. In all 162mm. rain had fallen from 20th to 23rd June.

16. Events Prior to the Accident :

16.1 East side of the quarry bed wherefrom 12m. of floor coal had been extracted by the dragline was used as a sump. There were two pumps on the north side of this sump. To cope up with the extra water of rainy season a third pump was to be installed near the other pumps on the north side. The foundation job for this pump was awarded to a contractor named Mahendra Singh.

16.2. The contractor had engaged only three workers in Pilot quarry on 23-6-1981. On 24-6-81 he engaged 13 workers (including 5 females), mostly new recruits on the foundation job in the general shift starting from 7 a.m. He was himself present on the spont. A civil supervisor, Rabi Sahu of CCL was supervising the job. There was a pump operator to run the old pumps. Gokula Sahu, a mechanical fitter, also was present in the quarry engaged in the repair of a pump.

16.3. The dragline did not work in this shift. Transport of coal from the quarry bed was done by pay loader dumper combination. This job was stopped and these machines were moved out sometime before 1 p.m. The dragline coal heap left behind was about 4.5m. high and 18m. away from the toe of Bottom Bench.

16.4 Around 1 p.m. Rabi and Mahendra were coming out of the pit for lunch. They were followed a small distance behind by 10 workers of the contractor. Another 3 workers and Gokula Sahu were still at the pump site. Apparently the last mentioned four persons had no intention of going out for lunch.

17. The Accident :

17.1. Rabi and Mahendra were walking together. When they had crossed the dragline and were about 30 metres west of it moving along north side of the quarry, they heard noise of rolling stones coming from south side. When they looked towards south. they saw a stream of stones rolling down the south side from a height of 5 metres. Rabi felt that the force of the slide was increasing. Mahendra also saw further sliding down of material. They warned the workers who were following them at some distance and they themselves started running. Mahendra felt that the sound from the south face had increased. They, therefore, ran as fast as possible. They climbed up a shortcut to the haul road Just after reaching haul road Rabi stumbled and fell. Mahendra jumped over Rabi and moved eastwards in an attempt to come out of the pit. He noticed dense smoke above his head. He turned to west and went along the old haul road. He was afraid that something would fall on his head Rabi did the same but followed the working haul road and ran unto the ramp. According to Rabi the dust took 4 to 5 minutes to settle down. They heard workers shouting for help and water. Theses workers came along the haul road. All of them were covered with white ash. Rabi had noticed that the skin was coming off when he touched their bodies. According to Mahendra "when the slide started it appeared to him to be passing out like water or gas from a hose pipe. It moved straight towards the north side and then a cloud of dust began to form above. There was no flame at that time in the dust".

17.2. Jut before the accident, Gokula Sahu sent away the pump operator for lunch. He stayed back for doing some further work on the pump. With or near him were three other workers including 2 women Gokula heard some noise coming from the south face. He saw movement of a part of south side and also saw a lot of dust rising with big noise. According to him a part of the dust went straight towards north and also went up in the air. He described the noise as whoa whoa. In an attempt to escape he ran towards the dragline. By that time the dust cloud had spread and he could not see his way. So he turned back to the pump. He slipped and fell

at a distance of about 6 metres west of the pumps. He could not get up and run. He felt hot ash setting on his back He lost consciousness. He regained conciousness a little later and walked out of the quarry. He was wearing mining shoes. The shoes sank into the ash which had accumulated on the ground. Two women workers namely Sukurimani and Janki Gagrai were near Gokula at the time of the accident. Sukurimani heard a big sound like "whoa'. She sat near the pump closing her eyes and then hot material started falling around her. Both Sukrimani and Janki had moved forward and then back towards the pump. When they were near the pumps, some hot dust settled down on them.

17.3. Chaitan Chetar, one of the injured stated "Gokula, two women workers and I were near the work site while 10 others were leaving for lunch. I had brought 'chuda' to eat. That is why I did not go for lunch. I saw a stone falling. Bigger piece began to fall. Gokula said that we should move immediately. By this time we were all covered by ash which was falling. We could not find our way. I had to return to the work site and put my face on the ground."

17.4. The other 10 workers who were near about the dragline could move neither forward nor backward before the cloud of dust completely engulfed them. Some of them moved towards north in an attempt to escape from the spreading cloud of dust from south Partially burnt cloths and footwears were later recovered from near the toe of north side wall. Some of these were 2m. up on the north side These workers apparently remained in the dust cloud for 5-10 minutes. When the cloud cleared they stumbled along the haul road and most of them collapsed at the ramp or near about that.

17.5. Shri B. K. Lama, an Executive Engineer, happened to be on the surface haul road near the control room at the time of this accident. He did not hear any noise. He saw a big cloud of dust coming up from pilot pit. He suspected that the dragline had caught fire and immediately rushed to the time office in his jeep to collect some engineering personnel before rushing in to the quarry. According to him. the cloud of dust persisted for about 8-10 minutes. When he reached the ramp he met a number of workers, some of them were lying down and some others were still staggering out of the quarry. Their bodies were covered with dust. All of these workers had burn injuries with skin hanging loose at many places and the clothes they were wearing were also partly burnt. He immediately arranged to lift the injured in his jeep and a truck and sent them to the regional hospital of CCL about 8 km. away. Sri Lama then moved into pit to check damages to the dragline, the bed of the quarry was covered with hot ash and small pieces of burning coal. On the way to the dragline he observed pieces of burnt clothes, deformed shoes and chappals and some peeled off skin. He found one persons lying beneath the dragline. He aranged to shift him to the hospital. He did not find any mechanical damage in the dragline but dust covered the inside as well as outside of the dragline fully even though all the doors and windows were closed. He found a women worker near the pump. She could not walk due to burn injuries on her ankle and as the ground was hot. He lifted her on his shoulder and brought her out of the quarry.

17.6. Shri S. M. Das, Overmen of the second shift was at the time office when the accident occurred. His attention was drawn to a lot of smoke coming out of pilot pit but he did not hear any noise. The smoke was black in colour. When he rushed to the esastern edge of the quarry, he could see nothing of the quarry bed because of the smoke. The smoke continued for about 4 or 5 minutes. He walked along the eastern edge to the control room where he stopped a truck and rode in it to the quarry. He found a number of injured persons at the ramp. He sent some of the injured persons to the regional hospital in his truck.

17.7 The quarry bed was covered with a thick layer of hot ash and dust. It was impossible to walk on this barefoot. Sri Lama coulld smell the rubber sole of his shoes burning because of this hot ash. Sri S. M. Das also had similar experience. He added further that a pair of trousers worn by him was damaged because of singeing caused by the heat.

17.8. In all 14 persons were injured in this accident. All the injured persons reached the regional hospital between 13.30 and 15.45 hours. The ten persons who were caught in the thick of the dust cloud received burn injuries ranging from 80 per cent to 100 per cent. All of them died within a period of 10 days. Gokula and the others including 2 female workers who were with him near about the pumps escaped with serious injuries. The extent of burns in their cases was upto 40%.

17.9. According to the doctors the clothes of all the persons were burnt to different extent and their bodies were fully covered with white ash. None of them had any injury other than burn injuries.

18. Medical Aid :

18.1. In all 14 persons—13 belonging to contractor and one of CCL were injured in this accident. All the injured persons were transported to the regional hospital at Talcher Colliery between 1.30 p.m. and 1.45 p.m. which is approximately at a distance of 8 km. from the site of the accident.

18.2. All the injured persons were treated in the regional hospital, which was a full fledged hospital. The injured persons were kept in a sterilised room, fitted with air-coolers to regulate temperature and humidity.

18.3. The Chief Medical Officer of CCL who was on official duty to Calcutta immediately rushed to Talcher and reached the hospital on 25th afternoon along with Director (Personnel) of CCL.

18.4. The help of specialists from the nearby hospital of Fertilizer Corporation of India was procured. Expert medical help of Dr. G. P. Mohanty, Professor of Surgery, S. C. B. Medical College, Cuttack and Dr. S. Sahu, Associate Professor of Surgery, S.C.B. Medical College, Cuttack was obtained who visited the patients almost daily.

18.5. All the 12 doctors in the various hospitals of CCL in Talcher area and para-medical staff were placed on round the clock duty for tretment of the injured.

18.6. Four of the injured persons expired on the same day followed by the death of one person on 25th, and another on 26th. Three more persons expired on 29th, 30th June and 1st July, 1981 bringing the total to 9. The 10th person expired on 4-7-81 at 1 p.m. All these persons had 80 per cent to 100 per cent burn injuries. Gokula Sahu, Chaitan Chetar, Smt. Sukurimani and Kumari Janki who had less burn injuries survived.

18.7. The details of persons involved in the accident with nature of injuries and the date and time of death etc. are enclosed as Annexure VII(A) & (B).

PART—IV

19. The Case as Put Forward by DGMS

19.1. According to the DGMS report there was a slide in which about 800 tonnes of material come down along the south side over a width of about 20 metres. This slide might have been caused by fire, heavy rain, presence of fault plane, water entering through wide cracks on the surface etc. or more probably by a combination of these.

19.2. They were of the opinion that the spread of dust and ash over an area of about 180mX90m and scattering of pieces of stone etc. measuring 6 to 8 mm. in size upto a distance of about 60m could not have been caused by a slide. If it were a slide alone, movement of the slided materials would here been arrested at the coal heap 4.5 metres high and 18 metres ahead of the slide. Moreover this scatted material was thrown from specific places of the southern side of the quarry which was on fire. Therefore in their opinion there was an out-burst also. According to them the out-burst did not occur first causing this slide as revealed from the statement of Sarbashri Rabi Sahoo and Mahendra Singh, the two eye-witnesses.

19.3. They were perplexed that nobody had heard any loud report or any unusual noise which accompanies an outburst. However, they argued that it would be more logical to accept that the report in this case was not loud enough for some reasons, than to reject the possibility of an autburst because nobody heard a report.

19.4. While trying to find out the cause of the outburst they mentioned that there was no evidence that pointed towards anything specific. Nothing seemed to fit in clearly. They therefore considered some of the "lesser improbabilities" and discarded all of them except explosion of water gas, which they termed as least improbable. The lesser improbabilities considered and discarded by them were a charged column of explosives, confied water above 100°C, explosion of coal gas produced by distillation of coal and the existence of a pocket of natural inflammable gas.

19.5. While considering the possibility of an outburst by water gas they quoted certain portions from "Technical Handbook on Spoil heaps" published by National Coal Board. According to this book incidents have occurred where workmen have been burnt by hot material scattered by an explosion (of water gas) on or in a spoil heap (when fire comes in contact with water). It has been suggested in the same book that those working on the heap or near it should avoid the immediate area of the fire because of the danger of such an explosion. Clearly only the immediate area of the fire has been considered to be dangerous, while at Jagannath Colliery, people 60m away received 80 to 100 per cent burn injuries. Hence the DGMS preferred to classify explosion of water gas as least improbable.

20. The case as put forward by the management.

20.1. Basically the case of the management is more careless same so far as observations and evidence are concerned. The only difference, as I can see, is that the management claimed to have seen atleast one piece of stone weighing about 1.5 Kg. and thrown to a distance of nearly 130 metres from the site of slide. The DGMS did not refer to any such piece of stone. Their observation was basically 6 to 8 cm. pieces at a distance of about 60 metres near north high wall. However, this difference in observation did not bring about any material change in the conclusions reached by the management.

20.2. In their written statement they concluded that there was a slide on the southern side as well as an outburst and that the slide occurred prior to the outburst. While examining the probable cause of the outburst, they concluded that such high steam pressure as to throw a 1.5 Kg. piece to a distance of 130 metres would be difficult to develop due to the presence of fissures and cracks in the strata and they opined that the outburst could have occurred due to water gas explosion only. According to them there could be voids created by leaching of fireclay beds, as observed in plenty along the north side of pilot. pit. These voids could contain mixture of water gas and air which could have been ignited by heated material.

20.3. In their argument regarding the possibility of an explosion of coal dust, the CCL observed that a coal dust cloud, formation of which is a pre-requisite of an explosion, can not be formed except in the open atmosphere in the existing circumstances, and if such a cloud is suspended in the atmosphere there will be negligible violence and the incidence of violence as witnessed in this accident would not have been present. Besides because of 206 mm of rain during the preceding 8 days the coal dust in the fault plane could be totally saturated in water and therefore would have little dispersability.

20.4. As regards the possibility of a charged blast hole exploding, the CCL was of the opinion that had a charged hole gone off coal would have broken and got scattered over the quarry floor. But no such coal pieces were found there. They added further that the blasting on 9-6-81 was in the floor coal of the quarry at a distance of about 15m from the toe of south face. It was extremely unlikely that dust and burnt clinkers would have been thrown out in the manner it was from a exploded shot in the floor coal and with such violence. They, therefore, ruled out this possibility.

20.5. In their argument they have dealt in depth the possibility of this incident having been caused by steam. They have made some calculations on certain assumed parametres and ultimately precluded steam as one of the possibilities. In their opinion ejection of steam could not attain a speed of detonating and as such could not cause deposition of dust in sharp outlines. The violence would also be much less and could not throw clinkers and burnt shale etc. to a distance of 60 metres or more. They further added that the presence of cracks and fissures as observed during the course of inspections by various persons and development of more cracks and crevices due to continuing fire and heavy blasting in the overburden and coal would preclude the possibility of hermetic sealing of steam to increase the pressure.

20.6. In their argument the CCL held the view that free fall of the upper superincumbent strata into a void created as a result of burning away of coal could not be ruled out. But they felt that there were other considerations and factors, as detailed below, to be taken into account in conceiving an outburst through a free fall.

(a) A void created in a seam of 21 metres thickness could be 16 metres on theoratical basis assuming ash percentage in coal to be between 30 and 35. But in actual practice the free fall height will be less than this as the ash would not have consolidated.

(b) The span of mass required for such an energy release would not be feasible as the strata will considerably weaken due to fire.

(c) A perusal of the nature of the strata above the coal would indicate that the strata are of low tensile and compressive strength and weathered.

(d) Physical observation of the site of accident and of the surrounding area has shown numerous fissures and cracks in the strata indicating that there would be a gradual and regular subsidence into the void as and when it developed. There would not be any sudden and single failure resulting in a free fall of bed of strata into large void.

(e) The subsided slope of south side shows clear evidence of a gradual subsidence on account of burning away of coal. When the top layer gets dislodged and there is a free fall of this massive layer there will be no chance of spread of the ash and clinkers into the open atmosphere unless at the same time there is a rupture of the side wall. The site of accident does not corroborate this.

20.7. In their argument the CCL submitted that formation of water gas in the conditions obtaining inside the zone of burning is more than probable. The water gas to formed could come in contact with air finding as ingress rendering the mixture explosive, which exploded with burning coal serving as the source of ignition and resulted in the outburst in this case. The explosion of water gas could explain the degree of violence witnessed in this case, the wide scatter of burnt shale and clinkers, the sharp outlines of ash deposition in quarry bed which could only be caused by ejection of ash from a point and at detonating velocity, impaction of hot ash on north high wall, the fluffy and dry nature of ash deposit and the nature of injuries to the workers. They however pointed out the difficulties to imagine the existence of a large void to store the required volume of water gas. By applying a consolidation factor for the fluffy ash they calculated the tonnage of ash dispersed to be around 60 to 100 tonnes and on this basis the energy release in this case was calculated by them to be less than 1.5 million BTU. They have also considered 350 BTU as the heat energy of water gas per cft. and the possibility of a mixture of air and water gas remaining in a void under pressure thereby reducing the void requirement still further. According to them in the instant case the total volume of water gas and air mixture required would be as low as 385m3. If this misture was confined at a high pressure the volume requirement would be small depending on the pressure of confinement.

21. Cases as put forward by other parties.

21.1. The other 7 parties with the exception of TCMS did not put forward any specific case. Three of them generally agreed with the findings of the DGMS.

21.2. The TCMS made out a case at the argument stage. According to them the probability of water gas explosion could be competely ruled out and the accident was undoubtedly caused by a simple land slide. They have made alaborate calculations to substantiate their stand. The calculations have been made on certain presumptions inter-alia.—

(a) The co-efficient of friction along the plane of slide was nil;

(b) The velocity of about 24m|sec. attaintd by a particle of the sliding mass at the bottom of the slide was in turn imparted to the ashes, which were thrown in the air at a velocity of about 24m|sec. i.e. the same velocity to form a dust cloud;

(c) The particles of sliding mass, which attained a velocity of 24m|sec. on reaching the bottom, could be deflected by floor|quarry bench and fly off as projectiles at the same velocity in any direction; and

(d) The particles of sliding mass, which attained a velocity of 24m|sec. on reaching the bottom, could continue to slide on the quarry bed starting with a velocity of 24m|sec. even though the direction changed by 45 degree.

21.3. I am afraid that these presumptions and conclusions arrived at do not tally with the obstrved facts and scientific analysis.

22. The Case as put forward by CMRS.

22.1. The CMRS first considered the possibility of this incident having been caused by a simple slide. They assumed 24 metres thickness of coal to have burnt completely reducing the original volume to 1|3 (as ash content in coal varied from 30 to 35 per cent). Assuming all favourable conditions the velocity of sliding mass could not have exceeded 18 metres per second. Then assuming that any clinker might have attained this initial velocity the maximum throw of a projectile at an angle of 45 degree would come to 33 metres only . Therefore, according to them the scattering of stone|pieces beyond 33 metres could not be justified by simple sliding and projectile ejection. They, therefore, concluded that there was an outburst also.

22.2. While trying to find out the cause of the outburst they followed the process of elimination. They considered the possibility of accumulation of methane along the fault plane, production of inflammable gases and methane by distillation of coal and then dismissed them as improbable. The probability of methane explosion was remote as the seams have no history|record of gassiness. If the fault was presumed to be a gas feeder, it should be traced even now. The possibility of gas as a distillation product and its accumulation at higher level is probable but its explosion is not likely to eject ashes and clinkers from a horizon down below. They have further amplified that under such shallow depth and overburden of high permeability there will be little chance of gas entrapment.

22.3. They also considered the possibility of a coal dust explosion. Their report points to the presence of fault beccia and gauge in the fault lane, which may consist of fine coal dust. Under the influence of fire and dry weather, the dust may have high dispersibility. The slide may expose the faulted plane where the dust was deposited, resulting in the formation of coal dust cloud. The presence of burning coal may initiate explosion of this dust leading to violent force, high temperature and high heat evolution. Coal dust explosion under the condition however does not satisfy the observed features of this event vis-a-vis.

(a) no sign of charring of coal, formation of ash globules etc. is indicated.

(b) the vilence of explosion with coal dust is severe and was not likely to be missed.

(c) the scatter of the splinters and ash from the bed of fire is not justified by this.

(d) the fallout should be predominantly topped by black coal ash.

None of these features is substantiated by the evidence submitted by different sources.

22.4. They then considered hydraulic stimulation of crushed and permeable coal seam, which according to them is said to increase gas outflow upto 20 fold. The rains during the previous days created conditions for such stimulation. But they ruled out this possibility as the gases would have had better freedom to move upwards because of faulted ground rather tha ntowards the seat of fire wherefrom the ash and clinker were reported to have moved out.

22.5. They also considered the case of steam as a cause of this occurrence. Rain water moving down through the cracks or pot holes may permeate along the fault plane which normally have high permeability. The water temperature may rise slowly due to the presence of fire in patches and in different horizons. Subsequent inflow of rain water might plug the channel when the water may alter to steam, the volume of which may be 1700 times the water volume. The steam may flow out towards the quarry face where the parting between the fault plane and the burnt edge is thinned down. The mechanical force available in the steam might eject out the ash and clinkers mechanically. This process should have no flame and sound but should be less powerful and violent as very high pressure along the fracture|faulted zone cannot develop. Therefore, scattering of clinkers upto 1.5 Kg. in weight upto 130m distance is not possible by this alone.

22.6. Last of all they discussed the possibility of a water gas explosion and considered it as probable. I quote below the relevant portion of their report—

"Hot water or steam may pass over the burning coal which is thinned along the fault plane and seat of fire. This may change into water gas. Small amount of this gas with wide explosive limit (5-70 per cent) may explode deep in the cut created by the fire and initiate scattering of the burnt ashes and clinkers over a fan shape area as reported by witnesses.

The colour of the smoke in this case will be grey (like that of ash colour), violence will be less severe but overall temperature of the bed of already heated ashes will then to rise because of its exothermic reaction. This seams to justify the burning of victims even at 90m distance without excessive violence, smoke of sound.

The occurrence of water gas explosion in open quarry like this is unique of its kind and we are unable to trace any past occurrence but from the circumstantial evidence, its occurrence in this case under consideration is probable.

23. The case as put forward by CFRI:

23.1. The CFRI did not take into consideration any possibility other than explosion of inflammable gas. It can therefore be presumed that they did not consider sliding by itself, explosion of coal dust or steam etc. as any probability at all. The summary of their report is quoted below.

"A series of concomitant events at the fire zone somewhere in the southern face of the pilot quarry must have had triggered off the accident at the Jagannath Colliery. The onset of spontaneous fire in this location and its propagaion had reportedly continued since May, 1977, but this by itself would not have caused the severe outburst and the explosion unless a number of other events had concurrently contrived and precipitated such a situation.

The smouldering fire in the zone might have been gradually covered up by self generated ash did cinders and subsequently further blanketed by huge amounts of rock debris due to gradual weathering and fall out of loose materials from the left-over old working faces. Moreover,

the seat of the smouldering fire must have penetrated deeper into the coal bed due to its location in the disturbed zone by the side of a major fault plane

Thus, heavy blanketing of the fire zone in turn might have had led to a number of chemical reactions on and within the coal bed, viz combustion, gasification and carbonisation all of which culminated in the continuous generation of gases which in turn may be envisaged to have built a tremendous pressure deep within the fire zone Eventually when a critical pressure had reached, the superincumbent cover of rock debris was forcibly thrown out creating an opening and consequent sudden implosion of air into the gas zone resulting in explosion of highly combustible gas mixtures under pressure viz. that of methane air, carbon monoxide-air and hydrogen air Such explosion deep within the fire zone had perhaps led to the sliding of enormous quantities of rock debris and the shooting of very hot spent gases of enormous volume accompanied with fine hot dusts of ash and cinders in the form of a trajectory towards the northern face, singeing and roasting the poor victims'

23 2 While commenting on the CFRI report the CCL argued that if the products of pyrolisis of coal were to be effectively entrapped so that gases cannot escape resulting in increase of pressure, it follows necessarily that no air can enter such a zone either The coal burning would, therefore stop and the fire die out in due course of time The basic premises on which the CFRI based the case of gas entrapment rules out the very possibility of gas formation I am inclined to agree with the opinion expressed by the CCL here

23 3 In the last para of the summary the CFRI visualised bursting of cover under high pressure of gases within and consequent sudden implosion of air into the gas zone resulting in explosion of gas mixture under pressure I could not understand how there could be implosion of air from the atmosphere into the cavity and still a consequent explosion of gas mixture under pressure Besides this envisages two differently identified phenomena—first ejection of material including ash followed after a time interval by a explosion There is no evidence to show that there were two outbursts In view of the above I do not consider the case of CFRI as a probability

PART V

24 Problems of Fire in Open Cast Mines

24 1 There are no safety provisions prescribed in the Coal Mines Regulations, 1957 against dangers arising from fire in opencast mines There are, of course, some provisions to prevent occurrence of fire in opencast mines—CMR 117(3) & (4) I feel that there should a set of provisions in the Regulations Before I recommend any such provision I shall discuss in brief the deposition of various parties in this regard

24 2 The CCL in their argument have said that though there are various stipulations in respect of underground mines where occurrence of fire constitutes serious hazards due to possibility of production of CO, explosion of firedamp or/and coal dust and other hazards, so far no hazard has ever been visualised, not only in our country but for that matter in any country in the world in respect of opencast mines According to them no permanent solution has been found for either prevention of spontaneous heating or for rooting out a fire once it has started

24 3 Shri Pani in his deposition before the Court stated about drilling of vertical boreholes in coal benches on fire and filling of these holes with water with a view that the water will spread through the cleavage planes and interestices It was found by him that a large block of quarry face got dislodged after adoption of this method for a week and the shovel and people working nearby escaped narrowly He, therefore, abandoned this method

24 4 Shri Pani also narrated his experience of a method suggested by CMRS at Jhingurda In this method surface of coal bench was coated with a mixture of burnt oil and coal tar in the ratio of 3:1 Two patches were tried, each with an area of about 500m^2 Fire did not occur for few months upto even 6 months, later fire occurred and when this happened spread of fire was more intense, as coal tar and burnt oil were highly inflammable Dr T N Singh accepted that the findings of investigation work at Jhingurda had not been conclusive and that the technique of coating with tar and oil had not been very successful This tar and oil experiment was tried on stagnant benches 6 years ago But the fire of Jhingurda still exists

24 5 Shri D K Bhattacharya of CFRI said that in such coal (Jagannath coal) spontaneous fire is common everywhere More extensive fire are noticed in some other Collieries, namely, Jhingurda colliery in Singrauli coal field

24 6 The problem of spontaneous fire-hazards at Jhingurda Colliery was referred to CFRI by Coal India Ltd. for a solution in 1979 In the final report, the CFRI opined that the problem of fire hazards at Jhingurda did not essentially originate from spontaneous combustion of coal but due to other reasons Their recommendations are given below—

"(i) First thing should come first, the existing fires at so many points at the colliery, have to be completely quenched and wiped out The task might not be easy but the problem has to be tackled

It is suggested that sector by sector, the different regions should be marked out, isolated and the fires combated and quenched therein Obviously, fire fighting equipment and personnel have to be organised for the job Care should be taken to dig out the fires and see that no smouldering fire or heat is left anywhere In a word, not only the visible fires have to be fully extinguished but also all the hot spots checked up and cooled off

(ii) Once all the fires are eliminated and completely quenched, after-care measures are to be taken to prevent recurrence of such fire either of spontaneous or induction origin Such measures could be as follows —

(a) Old working faces, particularly those which are highly uneven having cracks and cravices, and holding loose coal pieces and the like, should be carefully watched over, temperature regularly monitored and occasionally sprayed liberally with water Perhaps, such spraying might be required once in 2-3 months

(b) Mini-stacks of coal, which automatically form and accumulate on the floors and benches or at the stackyards, should not be allowed to remain there for any length of time, at least not more than 3 months If for one reason or other, it is not possible to dispose these off in time, their temperature should be monitored and liberally sprayed with water, as and when found necessary"

24 7 These recommendations appear to be simple to implement and apparently applicable to many seams which are not highly susceptible to spontaneous heating I do not understand why inspite of such simple solutions to this serious hazard, the number of fires are increasing As mentioned at para 24 5 Shri Bhattacharya himself admitted that Jhingurda had more extensive fires than Jagannath

24 8 Dr T N Singh said that prevention of fire was not the problem of Coal India Ltd only Even in the USA such problems were there in thick seams under shallow depth of cover He admitted that we were still far away from the final solution He also said that fires were known in coal mines in India for more than 200 years, but it was a "technological failure in combatting such situation". Appropriate technology for combatting fires in mines (i e to control the phenomena of spontaneous heating) all over the world was yet to be evolved He also said that contact fires in coal seams which are not highly prone to spontaneous heating can be controlled by the process of quenching and digging and this alone would definitely not be the effective means of tackling fire in thick poor quality seam (highly prone to spontaneous heating like that of Jagannath Colliery).

24.9. As per the admission of Dr. T. N. Singh CCL had made a reference to CMRS to devise ways and means to prevent spontaneous heating of coal in benches, but apparently nothing concrete has come out of this.

24.10. On examination by the Court Dr. Singh said that mine fire was a problem which could not be treated piece meal. He has seen a fire in a mine since last 20 years being tackled by the then Coal Board and subsequently Coal India by surface blanketing, flooding and sealing. Even then it was far away from success. He also referred to some successful and partly successful cases and added that none of the methods reveal it to be foolproof and definite to control fire. To indicate the enormity of this problem he said that fire has burnt prime coking coal worth Rs. 3000 million in Jharia Coalfield alone.

24.11 According to the deposition of Sri K. Paul before the Court the DGMS was not in a position to suggest any ways and means to quench the fire. The DGMS report also indicates that there is no economically viable way of effectively controlling the fire under the conditions prevailing at Jagannath Colliery. They differentiated between coal liable to spontaneous heating and coal not liable and suggested that immediate steps should be taken to deal with a fire at the early stage itself. They have put more of emphasis on prevention of an occurrence of fire and suggested formation of a committee to look into this as well as fire fighting. As an immediate measure they suggested the following to reduce|retard the occurrence of fire—

(a) remove all broken coal or do not expose it at all while working near a disturbed area.

(b) face should move fast.

(c) dressing of abandoned faces and treatment with chemical to prevent access of air.

(d) automatic sprinklers for continuous spray.

PART VI

25. Facts :

25. Before analysing of the incident it may be useful to list out relevant facts as follows :—

25.1. Hot coal ash and clinkers were ejected out from south quarry face.

25.2. Ash and small pieces of clinkers had spread over a fan shaped area the outer sector of which was 213 m. and a radius of 90 m.

25.3. The clinkers were 6 cm. to 8 cm. in size though one of which weighing 1.5 kg. was claimed to have been thrown to a distance of 130 m. Larger portion of debris and ash were confined close to south face upto coal heap.

25.4. The ejected ash had risen to a height of 60 m or more from quarry floor as seen from a distance of 400 m. There was no perceptible wind velocity at the time of incident.

25.5. The thickness of ash varied from 25 cm to 0.5 cm which was a combination of ash that got directly deposited on bed of quarry and also later deposition from what had been raised in the air.

25.6. There was no noticeable sound though after ejection of material there was a distinct sound akin to 'whoa' 'whoa' (as if some gaseous material was being ejected from a comparatively small opening).

25.7. The south side face of quarry, about 900 m had been on fire since 1977. It was in patches over a length of 270 m. None of the witnesses could give a specific opinion as to the inbyemost depth to which fire could have travelled. CFRI Expert witness opined that considering nature of coal it could have travelled 15 m inbye. According to DGMS fire could have penetrated by 6m|7m in bottom bench.

25.8. The quarry was 52m deep at the site of occurrence with two assumed distinct coal benches, bottom and top being 6m and 10m high respectively. The rest of the coal face was in irregular benches of smaller height and width. The side had an overall slope of 38 degree with horizontal. The overburden bench of laterite soil and earth was 12m high. The toe of overburden bench was estimated to be 9m away from top of coal seam and 80m away from toe of bottom-most bench. One could not vouchchafe that the bottom 2 benches were regular in shape before the incident.

25.9. The whole side of the quarry over a length of 20m was found having slided after the incident.

25.10. There was a 4.5 high coal heap, 18m away from toe of bottom-most bench. The valley like portion between the coal heap and the of bottom-most bench was found filled with a good thickness of ash, large sized burnt stone pieces and laterite boulders thrown down from top of quarry.

25.11. The coal seam having 24 per cent V. M. was comparatively non-gassy.

25.12. There was 162 mm. rainfall over 4 (four) days before the incident. Even though there was a garland drain to conduct the rain water away from the quarry quite a substantial quantity of water could have come in contact with fire through prominent ground cracks along the edge of the quarry and through ground seepage.

25.13. There had been atleast one incident in June, 1980 i.e. one year before this accident in which hot ashes were raised up in the air over a distance and height of 6m|8m as a result of slide of the coal side over a small length and height.

25.14. Immediately before the incident there was a slight movement in south side face at a height of 4|5m followed by a general movement of the side. There was no specific evidence that the whole south side face moved before ejection of hot ash and material. It was not possible to estimate the exact time gap between the small initial movement observed at quarry face at a height of 4m|5m and the ejection of hot material excepting that it could be in the region of a few seconds only.

25.15. 2500 kg. of high explosives were blasted in a key cut in the floor of the quarry at a distance of 10|12m from the toe of bottom-most bench 20 days before the accident.

25.16. Laboratory analysis of ash and clinkers showed that practically all carbonacious material had been consumed in the fire. It was not possible to estimate the exact temperature of ejected hot ash. Clothes of workers involved in the accident were burnt|charred and also the skin had peeled off. According to medical evidence a heated material at 55 degree C acting for 1 min only can cause observed burns etc.

26. Analysis:

26.1. I was handicapped in assessing the situation more precisely as the first inspection of the site of accident could be made only on 12-11-81 i.e. after a lapse of 5-1|2 months when most of the field evidence was either lost or severely disturbed. In fact the quarry by then had got quite substantially filled with water. Therefore an analysis of the incident has to be done mostly from evidence of witnesses and documents.

26.2 The following causes singly or combinedly could have resulted in the incident:

1. Sudden setting off an old charge of explosives:

A sufficiently high charge, say about 500 kg. could have thrown the blasted material to as long distance i.e. 90m as was observed in this incident. But such a feasibility is ruled out on account of the following reasons:—

(a) The blasted material i.e. coal and|or laterite overburden rocks would have been abounding rather than ash in the ejected material which was not so. Moreover spread of ejected material over a fan-shaped area is not possible in an explosive blast envisaged.

(b) Blasting of 500 kg. of explosive would have to be confined in a number of shot-holes and a large number of misfired shot-holes remaining, undelected can be counted out.

(c) Even if one or two misfired charge in shot-holes had remained undetected a fire burning for 3 years should have blasted them much earlier as such shot-holes are normally in a cluster close to the edge of benches.

This possibility has not at all been considered by CFRI and CMRS. Both DGMS and CCL have considered this and have ruled out this possibility.

2. Explosion of inflammable gases :

Two scientific organisations, namely, Central Mines Research Station and Central Fuel Research Institution while submitting their opinions on my request stressed on the possibility of such a cause having brought about the incident. The former relied more on explosion of water gas (CO & H_2) while the latter also considered that beside water gas inflammable gases, mainly methane, may have played its part in the explosion. The other two organisations, namely, Directorate General of Mines Safety and the management also stressed water gas explosion possibility but did not rule out that other factors may have contributed to the incident.

From the calculation given in Annexure I the least volume of void required to explode the requisite quantity of water gas would be about 5500m^3 i.e. a void of 30m× 30 × 6m. Availability of such a large void within the fire area to contain water gas and air mixure is unthinkable and can be totally ruled out.

Moreover access of such large quantity of oxygen i.e. air is not comprehensible as oxygen of air would be consumed by the fire burning at the outer fringe of the void. Also upward draft created by fire would make the hot gases and air to escape into the air. This is more so of the volatile matters that would be distilled by heat of fire in coal.

No loud report was heard by any one even at distance of 100m. An explosion of gases of the magnitude envisaged should have produced a report of high magnitude.

Temperature of coal fire in the side of a quarry will be of the order of 350° to 500°C. At this temprature water gas is not likely to be formed. If at all, it will be of an insignificant quantity.

Therefore water gas and|or mixure of water gas and other explosive gas components of coal alone having caused the incident can be totally ruled out.

The CFRI did not consider any possibility other than explosion of gases. The DGMS report said that everything seemed improbable and Shri K. Paul in his evidence said that explosion of water gas appeared least improbable. The CMRS came to the same conclusion by a process of elimination. But the CMRS or the CFRI have not tried to calculate the actual volume of gas required. They also did not calculate the pressure developed. I have shown later in this report by actual calculations from available evidence that this pressure should have been nearly 350 lbs per sq. inch. Such high pressure could not have been developed by an explosion of gas.

Shri K. Paul had made some calculations on the volume of water gas required. Even though his figures (110m to 150m^3) were lower than the figures I have arrived at, yet in his evidence he said that the main difficulty in accepting water gas explosion was its formation in such large volume in a cavity. He further said that even though we could somehow explain its storage and liberation at the proper moment, the chemistry of formation of water gas leads us to believe formation of this gas in small quantities only. The world 'somehow' used by him may be noted.

The CCL in their argument produced some figures and claimed that a volume of 70 to 40m^3 at N.T.P. of water gas will be enough to cause this outbust. The basis that total energy release in this event was less than 1.5 million BTU, itself was wrong. As has been shown in annexure VIII by the technical assessor the total energy release was to the tune of 18 million BTU.

3. By Steam :

A piece of clinker weighing 1.5 kg. (3.3 lb)) was reported to have been ejected to a distance of 1.30m (400ft.). Considering the piece to be a cube of equal sides area of one side is 70 sq. cm. say 11 sq. inches, rounding off the corners area of one side could be assessed to 6 sq. inches (38.7 sq. cm.).

From the formula $S = \frac{1}{2} ft^2$ where S = distance travelled f = acceleration in ft/sec^2 and = time of travel which is 1.11 second as calculated in Annexure VIII on gas calculation,

$$f = \frac{2S}{t^2} = \frac{2 \times 400}{(1.11)^2} = 650 \text{ ft/sec}^2 = 195 \text{ m/sec}^2$$

From the formula P = m, where P = total pressure acting on the face, m = mass in lb and f = acceleration. $P = 3.3 \times 650$

$\therefore$ P(lb/sq.in.) = 357, say 350 psi.

As mentioned in water gas analysis total kinetic energy required to eject 250 t of material over a distance of 250 ft. = 17.9 mil Btu.

$\therefore$ Total weight of steam required to produce 17.9 million Btu equivalent

$$= \frac{17.9 \text{ mil Btu}}{300} = 59666 \text{ lb.}$$

1 lb of steam at 350 psi and 500° F superheat occupies a volume of 2.41 cft.

$\therefore$ Total volume required for steam = 1,43,795 cft. Considering void equivalent as 75% in ash, total volume of steam required to be contained in interstice void = 1,91,726 cft (5340 m^3). The fire was burning over a length of 900 ft (270m) for last 3 years and hence one could visualise an ash content over a volume of 150′ × 50′ × 26′ (45m × 15m × 7.6m) and this satisfies total interstice volume of 1,91,726 cft (5340 m^3) Unlike water gas, void requirement of steam in interstice is good enough.

A doubt may arise as to why only 176m (6215 cft) of material was ejected when 191726 cft (5340 m^3) of steam was available. This is axplained by the fact that once the opening was created the pressure inside the confined area started falling rapidly and that is why the thickness of ash between the coal heap and top of quarry side, that is closer to the point of ejection, was much higher than elsewhere in the fan shaped area. Moreover in the process of sudden expansion a substantial work is lost in friction, turbulance and heat conduction which cannot be quantified in this instance.

The type of sound 'whoa—whoa' heard immediately after the incident again points out to the almost certain probability of escape of steam after the initial outburst.

In short, production of superheated steam and its confinement in interstices of ash is quite conceivable. The steam could generate requisite kinetic energy to eject the material out and also retain sufficient heat along with hot ash to cause the burn injuries. If not fully the escaping steam could have played a very large part in bringing about the incident.

The CMRS in their report have mentioned that scattering of clinkers upto 25cm. sive, 1.5kg. weight upto 130m distance was not possible by this alone. They apparently did not make any calculation and considered only saturated steam. Therefore they did not realise that a high pressure of 350 lbs per sq. inch was required in this case and that this pressure

could have been developed by steam only. They of course stated that this process (i.e. steam) should have no flame and sound, corroborating the evidence available.

Shri K. Paul in his evidence discussed a hypothetical case of saturated steam at 95 lbs per sq. inch and therefore the inferences drawn by him do not apply in this case.

The CCL in their written statement and also at the argument stage precluded the possibility of this outburst having been caused by steam. But, as already mentioned, they did not realise that a pressure of 350 lbs per sq. inch was required in this case. They also went wrong with their calculation on energy release. In their calculations they did not consider superheated steam and entrapment of this steam in interstices of ash. Superheated steam can explain high pressure required in this case and entrapment in interstices explains how a large volume of steam could be stored.

Besides none of the parties tried to explain the sound 'whoa' 'whoa'. As I have mentioned earlier it sounded as if some gaseous material was being ejected from a comparatively small opening. This noise could have been produced by steam only.

4. By fall of material

Both bottom and top coal benches were on fire though the top bench was affected to a smaller extent. The depth of fire in bottom bench was estimated to be 6m|7m|15m. Also about 20m length of the quarry face was affected in the final slide. In effect therefore the fire could be burning over a length of 60ft (20m) a height of 118ft. (35.4m) and a depth of 20ft (6m). Within this space there was ash with 75 per cent interstice void.

Under the circumstances it could result in a free fall of a mass of topmost coal which was yet solid over hot ash with 75 per cent interstice void. From annexure X it will be seen that the shear stress developed in such a span would be 607 psi which is 24 times more than wet coal shear stress of 25 psi

From the same annexure it will be seen that the kinetic energy developed would be 6032 mil ft lbs whereas EK reqd. to eject 250 tonnes of material to a distance of 250 ft. would be 13921 mil. ft lbs. This is about twice the energy produced by probable free fall. Even if either the length or depth of fire is doubled to 120' (36m) and 40' (12m) respectively or the thickness of coal is increased, energy calculations more or less tally with each other. My purpose however, is not to tally the figures but to indicate the probabilities.

By sliding of the side alone some dust cloud could be raised as similar phenomenon had occurred before but to a much smaller extent. For want of exact information before the incident the effect of sliding of side cannot be calculated but this possibility can not be ruled out as a contributory factor. slope angle of coal side was 38° as measured from plans submitted Under normal circumstances this angle is safe but the safe slope angle with fire burning inside, may be reduced to even 18°.

One has also to consider as to why the incident occurred when it did. even though the quarry coal side was on fire for last 3 years A combination of circumstances could have cause it Heavy blasting of 2500 kg of high explosives could have created some disturbance in the fire zone.

27 Conclusion

27 1 As stated before the incided could have occurred by combination of circumstances. All contributory factors towards the phenomenon (ejection of hot ash) are to be considered collectively rather than individually. For precision all contributory factors are to be compared quantitatively rather than qualitatively. Multiferiate analysis requires more of mathematical analysis rather than graphical analysis because of multiple contributors.

27 2 From such an analysis I would lay more stress on the contribution of high pressure steam confined within the fire zone to bring about the incident. But contribution of other factors cannot be ruled out totally. Production of water gas in causing some mine-explosions has been talked rather glibly by the mining community but hardly any experiment has been carried out to support the claim

27.3. This incident is only one of its kind known in this country, nay, in the world. Due to dearth of time a field or laboratory experiment could not be carried out. And it is imperative that such an experiment is conducted under a High Power Body.

27.4. As yet mining community has not paid much attention to the grave situation that blazing fire in coal side of an open cast mine can bring about. It is necessary that such fires are quenched as soon as noticed, especially in a working mine. Suitable methods to do so are available or can be envolved, if necessary. Cutbreak of sportaneous heating in opencast mine coal sides is a common phenomenon in high volatile coal seams. A concerted and immediate effort is recommended to arrest or eliminate such a common and dangerous phenomenon in the coal mine, either opencast or underground.

27.5. This particular incident could not have been visualised and hence no blame could be ascribed to any organisation. But I do not accept that suitable means were not available to quench the fire either at initial or later stage.

28. Decision on issues :

28.1. In the sitting of the court on 8-1-82 the following issues were finally framed —

(i) What are the causes that led to this accident ?

(ii) Were all the safety measures prescribed in the Act, Rules or orders issued thereunder properly followed by the management ? Were these measures adequate ?

(iii) How can such accident be prevented in future ?

28.2. So far as issue No. (i) is concerned the matter has been discussed at length in this report under the heading ANALYSIS and the whole thing has been summed up in the first two paragraphs of CONCLUSION.

28.3 The second issue can be split up into two parts namely (a) whether the safety measures prescribed in the law where properly followed and (b) whether these measures were adequate. During the course of our investigation we did not come across any safety provision of the law which had been voilated by the management resulting in this accident. In fact there is no safety provision in the law which can be said to be applicable under the conditions that prevailed in Pilot pit before the accident. Some of the parties brought forward certain violations which cannot be said to have been the direct or indirect cause of the accidents. The DGMS in their report or deposition before the court did not refer to any violation of any safety provision.

28.4. My attention has been drawn to the provisions of Regulations 190 of the Coal Mines Regulations, 1957, which reads as follows —

"General safety :—No person shall negligently or wilfully do anything likely to endanger life or limb in the mine, or negligently or wilfully omit to do anything necessary for the safety of the time or of the persons employed therein."

This is an omnibus provision, but this is not applicable here particularly so in view of the fact this incident was an unique one.

28 5. There are no safety provisions covering situations of this case I have in my recommendations later in this report included certain desirable safety precautions.

28 6 The third issue relates to methods|means to prevent a recurrence. The desirable safety precautions suggested by me in recommendation; if properly observed, will be adequate to prevent a recurrence.

PART VII

RECOMMENDATIONS

A. In the case of underground mines Coal Mines Regulation, 1957 provides a detailed procedure for dealing with the fire situations. However in the case of opencast mines the same Regulation is silent about the details. The only Regulation in this regard is that occurrence of such fire should

be reported to the DGMS. It is not clearly laid down what the DGMS should do thereafter or the Management should do on its own.

In my opinion, with the experience of this disaster in Jagannath Colliery, it is imperative that Coal Mines Regulation, 1957 has to be amended to lay down in clear terms steps to be taken by the DGMS and the Management.

It strikes me that in opencast mine, as soon as a fire is noticed, it should be dug out and quenched. Alternatively measures should be taken to prevent its spread by preventing access of air to the fire, for example by blanketing. In no case, should the mining operation proceed to such a depth as in the case of Jagannath Colliery that the management can claim that fire cannot be tackled manually or mechanically. Such a situation should not be allowed to develop in opencast mine hereafter. If the fire is not controlled, further mining operation in that quarry must stop.

I appreciate that any particular method to deal with fire in an opencast mine will not apply to all situations But dealing with a fire at its initial stage should present no difficulty either to dig it out or quench it.

I wish to make a distinction between prevention of occurrence of spontaneous heating and measures in dealing with a fire in an opencast mine after it has occurred. The phenomenon of spontaneous heating in coal is unique by itself and it still continues to plague the coal industry since its inception. It is recommended that a High Power Body be formed to examine this matter in all its aspects. It may be headed by DGMS with assistance from Research Organisations and mine operators.

B. In view of the danger posed by fire in opencast working, it is desirable that a Project be taken up for study It is understood that there is nucleus of R&D unit in DGMS It would be worthwhile if this R&D Unit is strengthened and it takes up a thorough study of this problem from various angles and advise the coal industry suitably. Government may provide necessary facilities for this purpose.

It is observed that although some inspections were made of Jagannath Colliery, the frequency of such inspections is not adequate. In fact, as I understand it, inadequacy in the number of inspections of mines is the general rule and that a number of mines are not inspected at all. It appers that not only has the DGMS not kept pace in its inspecting strength with the growth of mineral industry, but even the sanctioned posts are lying vacant because of difficulties in recruitment of Officers I suggest that Government may examine this matter and take necessary steps to wipe out the shortage and pave the way for strengthening the DGMS which is of vital importance to safety in mines.

C. During the course of inquiry I came to know certain facts which are not complementary to the Management. Proper drinking water arrangement was not there in this quarry. The CCL has no system of training the Contractors' workers in safety matters. In this particular case safety Boots and helmets were not supplied by the Management to the Contractors' workers. Jagannath Colliery has no separate Dispensary or Ambulance of its own. The seriously injured persons were carried by Jeep and Truck to the CCI Hospital which is 8 km. away from the spot.

I would suggest that Public Sector, like CCL must set an example in this regard. Adequate drinking water facility should be provided. First-aid and Ambulance should be available near the quarry and safety boots and helmets must be supplied to all workers and training in safety imparted to all workers irrespective of whether they are employed by Management or by contractors.

D. Recovery of Expenses.—In view of my conclusion that the management could not be held responsible for the accident of the 24th June, 1981 at Jagannath Colliery, I have no directives to issue under the provisions of rule 22(I) of the Mines Rules, 1955 regarding recovery of expenses of this Court of Inquiry.

ACKNOWLEDGEMENT

Before I conclude I would first of all like to express my deep and sincere thanks to both the Assessors. In our aim and endeavour to ascertain the truth and to weigh the available evidence objectively, I have been greatly assisted by the Assessors, who never allowed any consideration other than purely factual and scientific to influence their judgement. This attitude and the amount of trouble and interest taken by the technical Assessor is manifest in the series of calculations made by him in an earnest attempt to form a scientific and factual base. I had their full co-operation during the court proceedings and in the preparation of this report.

The C.M.R.S. and the C.F.R.I. were very quick to respond to my request. They put in sincere efforts and did good work in invesigating this incident. I am thankful to them for their expert opinion on various issues raised during its proceedings.

I am also thankful to the representatives of the parties who participated in the proceedings of the Court for their assistance, constructive attitude and thought provoking arguments. I would particularly mention the representatives of C.C.I. who assisted in various other ways also. They helped us with copies of books, literature and reports and they got a number of samples analysed as desired by technical assessor.

I also acknowledge the assistance given by Smt. Sarita Das, Secretary, Board of Revenue, who had acted as Secretary to this Court of Inquiry.

By the nature of their function and duties the D.G.M.S. is deeply concerned with accidents and investigations thereof. I would nevertheless like to place on record my appreciation of the manner in which this accident was investigated and for the assistance given to the Court by Shri K. Paul, Director of Mines Safety, Bhubaneswar.

Dated : 16-7-82

Sd/-

K. RAMAMURTHY, Chairman
Court of Inquiry.

We fully agree with all observations, conclusions and recommendations made in the report.

Damodar Pandey,
Assessor,
Court of Inquiry.

H. B. Ghose
Assessor,
Court of Inquiry

ANNEXURE I

List of Witnesses Examined at the Enquiry

A. On behalf of C.C.L.

1. Shri A. Pani, General Manager.
2. Shri A. K. Tripathi, Project Officer & Agent.
3. Shri S. K. Dey, Manager (on leave).
4. Shri A. K. Nayak, Safety Officer & acting manager.
5. Shri B. K. Lama, Executive Engineer.
6. Shri S. M. Das, Overman.
7. Shri Rabi Sahu, Civil Supervisor.
8. Shri U. C. Patnaik, Mining Sirdar.
9. Shri Gokula Sahu, Mechanical Fitter.
10. Shri Mahendra Singh, Contractor.
11. Shrimati Sukarmani, Contractor's Worker
12. Shrimati Janaki Gegrai, Contractor's Worker
13. Dr S. K. Mohanty, Medical Officer

B. On behalf of T.C.M.S.

1. Shri P. C. Das Blasting Foreman.

C. Court Witnesses.

1. Shri Chaitan Chetar, Contractor's worker
2. Shri D. K. Bhattacharya Scientist C.F.R.I.
3. Dr. T. N. Singh Scientist C.M.R.S.
4. Shri K. Paul Director of Mines Safety.

ANNEXURE II

The Investigation Report of C.M.R.S. Study Team for the Causes of Accidents of Jagannath Colliery

A team of C.M.R.S. Scientists with Dr. T. N. Singh, Dr. S. C. Banerjee and Mr. B. D. Baliga as its members visited the Jagannath Colliery on 24-12-81 and 25-12-81 under reference No. X-96/81-8408/Gen. dated Cuttack, the 20th

November, 1981 addressed to the Director C.M.R.S. Dhanbad. The Mission of the visit was to investigate the probable cause for the accident that occurred on 24-6-81 in the Pilot quarry of the mine. The team made an effort to identify the probably cause/causes for the accident on the basis of the geomining conditions as on the days of the visit, perusal of the accident reports submitted by Mr. Paul, the investigating officer of D.G.M.S. and the one submitted by the Manager (Central Coalfields Ltd.). The following officials co-operated during the visit.

1. D.G.M.S., Bhubaneswar Region, Bhubaneswar Mr. K. Paul, Director of Mines Safety.

2. M/s. Central Coalfield Ltd., Talcher Area.

(a) Mr. Ravindra Singh, G. M. Talcher.

(b) Mr. S. Mahanta, Agent, Jagannath Colliery.

(c) Mr. A. K. Tripathy, Supdt. of Mines, Jagannath.

(d) Dr. Mohanty, Surgeon Specialist, Regional Hospital, Talcher.

3. M/s. Central Coalfields Ltd., Ranchi Mr. C. R. Dash, Technical Secretary to C.M.D.

4. M/s. C.M.P.D.I., R.I.,-III Mr, J. K. Sinha, Senior Geologist.

5. C.F.R.I., Digwadih, Mr. D. K. Bhattacharya, Scientist.

Methodology :

The investigation of the accident occurred on June 24, 1981 was undertaken by the team on December 24, 1981 (exactly after 6 months), During this period, the accident site underwent the following alterations.

(i) The quarry got flooded and the bed was said to be under 4.5m deep water.

(ii) The sliding zone—the centre of problem became inaccessible and the zone was likely to be deformed due to subsequent rain.

(iii) The dust, ash, fall out and the scattered splinters etc. got washed out.

(iv) The surface cracks, potholes and the quarry edge etc. might have been disturbed due to the fault, rain and subsequent sliding.

(v) The position of fire shifted its position in different benches or patches.

In brief, the site has undergone the phenomenal change during this period and therefore, the direct evidences if any were lost and therefore, the exercise is based on the reported informations and conjecture.

Special Feature of the Accident :

(a) The workers got burn injury even upto 90m distance from the slided block.

(b) The burn injury varied from 5 per cent to near 100 per cent depending upon their position.

(c) The skin of the victims came out like a glove (plate) indicating complete roasting due to rise in the quarry bed temperature.

(d) The clothings of some of the victims were charred/burnt in patches (plate).

(e) The body of the victims were fully dusted within grey ash and the hairs of some of the victims were charred.

(f) No inquiry from the blung edge nor bleeding was reported for any of the victims.

Special Features of the Accident Site :

(a) Sliding of about 800 tons of debris/mass is reported to have occurred along F4-F1 fault plane.

(b) A number of patches of fires (associated with flames) were observed along the southern fault, particularly in the lower benches.

(c) The slided mass took a shape of heap and did not—

(i) override the coal heap which was 4-5m high and was deposited by the dragline.

(ii) show any overturning of the slided mass.

(iii) show flow or ejection coke through which the splinters etc. might move out.

(d) The sliding was followed by dust clouds—grey or blackish in colour, which settled within 8-10 minutes.

(e) The fall out took a fan shape with the left and right sides of 90m and the base of 210m along the northern fault F2-F3.

(f) The fall out is reported to have the following character :

(i) South of the coal heap—Clinkers and splinters were deposited over the ash.

(ii) Beyond the coal heap the splinters and clinkers were scattered, over which the ash bed of 0.5 cm to 12 cm thickness was formed.

(iii) The ash and clinkers of 6-25 cm size and weight upto 1.5 Kg. were scattered, which remained hot even upto the next day.

(iv) The fall out ash was of mixed size, grey in colour and unsorted and had no charred coal dust globules.

(g) The southern edge of the pilot quarry was nearly along the fault plane of head 15-20° and 120 m throw while the slope of the quarry side was 50-53 from vertical.

(h) coal buttock of about 15m-20m was left along the fault plane. This coal crushed and disturbed due to sympathetic fault or heave was on fire in patches.

Analysis of the Event :

(1) Sliding of the mass :

The first symptom of the problem was reported by the two eye witnesses who observed the sliding of the overburden. This type of slides have occurred earlier also and one was recorded in June 80. Its effect was within 6-10m from the toe only. In the present case, a dust of grey and or blackish cloud of dust was reported over 6000m area. The dust settled within 8-10 minutes when a slide of 20m wide strip with mass of about 800 tons occurred. The slided mass spilled over upto the coal heap and also the murram boulders rolled upto the heap.

Extent of Travel/Slide and Range thereof :

The coal seam III and a part of II were on fire in patches. The coal contained 30-35 per cent ash. Persuming complete burning of the seam III and a part of seam II (18m), the total height comes to 24m only. After burning, the ash and clinkers will occupy one third of the original volume i.e. 8 equivalent, which will be occupying larger voume due to its loose nature. Thus the sliding by about 16m is expected under the following two boundary conditions.—

(i) Sliding by 16m occurred under the buoyancy influences of loose ash and clinkers.

(ii) The ash/clinkers were fully set and consolidated and free fall to 16m height occurred.

The second case is the worst for the velocity of the falling pieces which might impart the projectile speed to the ash and clinkers which were scattered in the quarry bed. The maximum velocity to any mass sliding and settling over the burnt hot dust comes to 18m/second only. Any clinker may be imparted this initial velocity for its outburst. The maximum throw of a projectile is possible along 45°, according to which it comes to 33m only. Any scattering beyond this span cannot be justified by simple sliding and projectile ejection.

In view of the hade of the fault (70°) and near flat formation, the most probable angle of the projectile is 20° and accordingly the range comes to 21m only This value is corroborated by the witnesses which gave the spillage upto the coal heap only which was 18m away from the toe.

The event thus could not be explained by simple slide of the overburden and its thumping action over the burnt coal seam. Scatter to over 90m range needs force or velocity more than that imparted by sliding. These forces could be as follows.

Gas Explosion

(A) The fault planes of this magnitude—120m throw have been the source of methane in a number of cases. The fault if disturbed or exposed could eject gases leading to explosion under favourable condition.

(B) Distillation product of coal burning in patches might contain flammable gases and methane below lower inflammability limit. The fault plane serving as outlet for these gases formed in different horizons might feed to the open fire where the parting is further thinned out.

In the present case, the fault located along the quarry edge was likely to be disturbed by fire and or subsequently by the slide, leading to the following :

(a) If the fire exposes the fault, the gas may leak out from down below, the explosion of which will eject out the ash and clinkers.

(b) If the sliding has exposed the fault, the gases may leak out at higher level, the explosion of which may simply cause open flames and negligible violence.

This probability is however remote as the seams have no history/record of gassiness. If the fault was presumed to be a gas feeder, it should be traced even now. The possibility of gas as a distillation product and its accumulation at higher level is probable but its explosion is not likely to eject ashes and clinkers from down below.

(iii) Coal dust explosion :

The fault planes are associated with sympathetic faults, heave, gouge and braccia which may contain coal dust. Under the influence of fire and dry weather, the dust may have high dispersibility. The slide may expose the faulted plane where the dust was deposited, resulting in the formation of coal dust cloud. The presence of burning coal may initiate explosion of this dust leading to violent force, high temperature and high heat evolution. Coal dust explosion under the condition however does not satisfy the observed features of the event vis a vis.

(a) no sign of charring of coal, formation of ash globules etc. is indicated.

(b) the violence of explosion with coal dust is severe and was not likely to be missed.

(c) the scatter of the splinters and ash from the bed of fire is not justified by this.

(d) the fall out should be predominantly topped by black coal ash.

None of these features are substantiated by the evidences submitted by different sources.

The improbabilities II and III draw heavily from the presence of the fire in patches and the vicinity of the fault planes. These two varients have persisted since 1977 to date and the event was the only one of its kind. This demands some other factors which could make the situation so explosive. In this regard, the following points seem to be relevant.

(a) Rain heavy shower within 15th—24th June, 1981 particularly heavy rain on 20th, 21st and 23rd June, 1981.

(b) Presence of potholes and cracks on the surface in the immediate vicinity of the slided zone.

(iv) It appears that the fire, fault, rain and the present of cracks/potholes have jointly contributed to this type of event.

The following phenomena are likely to occur in such conditions.

(A) Hydraulic stimulation :

Hydraulic stimulation of a crushed, permeable coal seam is said to increase the outflow of gas upto 20 fold. The rains including a heavy one during the last 20 days and its likely inflow through surface pot hole or cracks might have stimulated the gas outflow. This gas channelised through the fault plane might explode where the fire penetrated deep to intercept the fault, leading to event.

This phenomena in the vicinity of the fault, sympethetic faults or near exposed fault surface is remote. The gaseous products have better freedom to move upward rather than towards the seat of fire from where the ash and clinker is reported to have moved out. Explosion due to this as such is ruled out.

(B) Outburst due to Steam :

Rain water moving down through the cracks or pot holes may permeate along the fault plane which normally have high permeability. The water temperature may rise slowly due to the presence of fire in patches and in different horizons. Subsequent inflow of rain water might plug the channel when the water may alter to steam, the volume of which may be 1700 times the water volume.

The steam may flow out towards the quarry face where the parting between the fault plane and the burnt edge is thinned down. This may cause explosive action in either of the following ways.

(i) The mechanical force available in the steam might eject out the ash and clinkers mechanically and might be released.

This process should have no flame, sound and also should be less powerful and violent as very high pressure along the fracture/faulted zone is not possible to develop. Therefore scattering of clinkers upto 25cm size. 1.5 kg. weight upto 130m distance is not possible by this alone.

(ii) The hot water or steam may pass over the burning coal which is thinned along the fault plane and seet of fire. This may change into water gas. Small amount of this gas with wide explosive limit (5-70%) may explode deep in the cut created by the fire and initiate scattering of the burnt ashed and clinkers over a fan shape area as reported by witnesses.

The colour of the smoke in this case will be grey (like that of ash colour), violence will be less severe out overall temperature of the bed of already heated ashes will tend to rise because of its exothermic reaction. This seems to justify the burning of victims even at 90m distance without excessive violence, smoke or sound.

The occurrence of water gas explosion in open quarry like this is unique of its kind and we are unable to trace any past occurrence, but from the circumstantial evidence, its occurrence in this case under consideration is probably.

B. D. Baliga,	T. N. Singh	S. C. Banerjee
[Scientist-E	[Sc. E	Sc. E.
4-1-1982	4-1-1982	4-1-1982

ANNEXURE-III

Report of Investigations into the causes of the accident on 24-6-81 at the Jagannath Colliery, District Dhenkanal, Orissa.

[redacted]

(As commissioned by the Court of Inquiry constituted by the Government of India, vide Ministry of Labour Notification No. N-11012/10/81-MI, dated 1st September, 1981).

January 5, 1982

CENTRAL FUEL RESEARCH INSTITUTE

P.O. FRI, DIST. DHANBAD, BIHAR

PIN—828108

FORWARD

On the request of the Court of Inquiry, appointed by the Government of India, vide Ministry of Labour Notification No. 11012/10/81-MI dated 1-9-81 to enquire into the causes and circumstances of the accident which occurred on the 24th June, 1981 in Jagannath Colliery in the district of Dhenkanal, in Orissa State C.F.R.I. had deputed one of the senior scientists, Sri D. K. Bhattacharya, to proceed to the spot to investigate the causes of the said accident and submit a report to the Court of Inquiry by 11-1-1982.

I am glad that the said assignment was completed and the report made ready within the scheduled time for submission to the Hon'ble Court.

While Sri Bhattacharya had personally conducted the investigations, collecting a mass of data and information, he was admirably supported by Sarvashree K. K. Ray Choudhury and B. K. Mazumdar, other senior scientists of this Institute in the interpretation and preparation of the final report.

I hope the expert diognosis of the events culminating in the accident as presented in this report will be helpful to the Court of Inquiry in its proceedings.

K. A. KINI, Director.

Dated : Central Fuel Research Institute, Dhanbad, Bihar, the 5th January, 1982.

REPORT OF INVESTIGATIONS BY C.F.R.I. INTO THE CAUSES OF THE ACCIDENT ON 24-6-1981 AT THE JAGANNATH COLLIERY, DISTRICT DHENKANAL, ORISSA

1.0 The Ministry of Labour, Government of India constituted a Court of Inquiry into the accident which occurred on 24-6-81 in the Jagannath Colliery, Talcher Coalfield, District Dhenkanal, Orissa. The Hon'ble Court which had its first sitting on Talcher on 12-11-81 requested the Central Fuel Research Institute to send its experts to investigate the causes of this accident and submit a report to the Court by the 11th January, 1982.

2.0 In pursuance of this order, the Secretary, Board of Revenue, Government of Orissa (vide letter No. M-96/81-7408/Gen., dated Cuttack 20th November, 1981) requested the Director, Central Fuel Research Institute (C.F.R.I.) to depute his representative to Jagannath Colliery for the aforestated investigation.

3.0 Accordingly, Shri D. K. Bhattacharya, Scientist, C.F.R.I. (posted at its Coal Survey Laboratory, Bilaspur, M.P.) was directed to visit the Colliery and conduct the investigation.

4.0 Shri Bhattacharya reached Talcher on 23-12-1981 with the above assignment.

5.0 A separate team of Scientists from Central Mining Research Station (C.M.R.S.), Dhanbad also visited the area with the similar assignment as desired by the Hon'ble Court of Inquiry.

6.0 At Talcher, during the period of investigations from 23-12-81 to 25-12-81, Shri Bhattacharya and C.M.R.S. Scientists along with Director, Mines Safety, Bhubaneswar, Representative from C.C.L. and C.M.D.I. paid a number of visits to the sites of accident and series of discussions followed thereon.

6.1 The following officials were present during the period for investigation and discussions.

1. Sri D. K. Bhattacharya, Scientist—C.F.R.I.
2. Dr. T. N. Singh
3. Dr. S. C. Banerjee — Scientists—C.M.R.S.
4. Dr. B. D. Baliga
5. Sri K. Paul, Director of Mines Safety, Bhubaneswar.
6. Sri C. R. Dash, Tech. Secretary to
7. Sri R. Singh, General Manager, Talcher. —C.C.L.
8. Sri A. K. Tripathi, Supdt. of Mines, Jagannath Colliery.
9. Sri Mohanto—Agent, Jagannath Colliery.
10. Sri J. K. Sinha, Sr. Geologist—CMPDI Talcher Area.

7.0 During these visits and discussions, efforts had been made to identify the causes of the accident on the basis of the available information and circumstantial evidence still discernible at the site as well as perusal of the reports of the D.G.M.S., Bhubaneswar, photographs of the spots provided by the C.C.L. authorities etc. (taken within 2/3 days after the accident).

8.0 The pilot quarry of Jagannath Colliery, the site of the accident is within a trough of two major east-west (approx) trending faults and is located almost towards the southern extremity of the colliery property. The Quarry width at its base is reported to be about 120 metres. The quarry was started in 1970 towards the south-eastern corner and since progressed from east to west.

8.1 The quarry has two working coal seams viz seam III and seam II (locally known as Jagannath seam). Seam III had been already quarried out : Seam II reported to have been worked in two benches, each 810 metres in height from the top. The bottom portion of around 15 metres has been left out for future extraction.

8.2 The accident had reportedly occurred on the southern face of the quarry which was partly on fire, even before the accident.

9.0 Some salient points of the accident.

9.1 On the 24th June, 1981 at around 1.00 P.M. a huge cloud of hot ash and dust was visible raised by the sliding of a quarry side about 50 metre high and which was partly on fire. The slide was accompanied and/or followed by a possible outburst. Fourteen persons present about 60m away along the other side of the quarry bed (i.e. towards the northern face) were engulfed in the cloud. They received burn injuries. Ten of them succumbed to their injuries within ten days.

9.2 It is reported that the burn injuries varied from 80% to 100% depending on the positions of the victims in the quarry during the accident.

9.3 Skin of some of the victims peeled out like gloves indicating severe burning.

9.4 The bodies of the victims were covered with fine ash, even penetrating into mouth and nasal apertures. But reportedly there had been no hair burn and the skin did not get charred as revealed during one of the discussion with Dr. Mohantly, Surgeon Specialist, Regional Hospital, Talcher. It is also learnt that the burning effect was only on the exposed parts of the body Covered portions (by clothes) were not affected. There had been also no evidence of effect of inhalation of poisonous gases.

9.5. There had been no reported injury from any flying rock pieces and the like.

10.0 It is reported that about 800 tonnes of rock debris had slided down a plane of about 20 metres wide strip along the southern face at the site of the accident onto a burning zone below.

10.1 The fire was reported to have had been active within the debris along the worked out faces of the southern side more or less about 10 metres above the existing floor of the quarry.

10.2 Further, there had been a heap of a freshly mined coal arising out of extraction of the eastern side of the floor which was about 18 metres away from the toe of the accident site.

10.3 Several large sized boulders of the sliding rock mass rolled down during the accident upto coal heap.

10.4 The sliding of the face was followed by a huge ash/dust clouds of greyish/blackish/cementish colour which went high up in the air over the quarry and later settled down and dissipiated covering a wide area within 5 to 10 minutes.

10.5 The fall-out of the dust took a triangular shape, the left and right sides of which extended to about 90 metres from the appex (the seat of the accident) while its base covered a length of about 200 metres along the northern face.

10.6 Fragments of clinkers, burnt coal, rock pieces etc. of different sizes were strewn all over the zone as in (10.5) which in turn were covered by fine ash/dust layers.

11.1 During the visit the Pilot quarry where the accident had occurred, remained flooded with water towards the base and the floor bed was reported to be under 4.5 to 5m of water. As a result of flooding the original sump, located on the eastern most side (before the accident), had extended and swamped the area and covered the floor region of the accident site (inspection made exactly after 6 months of the accident i.e. 24-12-81).

11.2 Due to the water cover dust fall-outs, scattered pieces of burnt coal or clinkers, etc. which were the direct manifestations of the reported explosion were, therefore, not visible and/or vitiated from the original situation.

11.3 The sliding zone i.e. seat of the problem of accident might have also got disturbed due to natural agencies (the quarry since the day of accident remained closed for any mining operations).

11.4 Throughout the southern face (i.e. the side of slide) the top surface, pot-holes, cracks, fissures, sliding edges, etc. might have had also undergone considerable changes either in location, size or orientation due to vagaries of nature.

11.5 The position of the present active fire along the southern face (in and around the accident site) might have also got shifted.

In a word it is important to record that the accident site had undergone phenomenal changes during the last 6 months and, therefore, considerable direct evidences leading to the causes and circumstances of the accident are obviously vitiated or lost.

11.6 Under the above situations and limitations, efforts have been made to identify the probable causes in the lights of the reports of Department of Mines Safety Bhubaneswar and Central Coal-Fields, Ranchi, as well as the photographs and other evidences brought out during the discussions with the above mentioned officials.

11.7 The southern face of the pilot quarry was very close to the fault plane ; the magnitude of throw is reported to be 100-140m towards the north. This has been verified from the revised South-Balanda report of the CMPDI, 1975 (sketch map No. DG/3281). The fault plane more or less passes very close, say within 6m north of the borehole NCTB-117 (co-ordinate+2257.52 : departure—2464.05) and about 10m north of NCTB-181 (co-ordinate+1962 15 : departure-1371.89) if and 8m north of NCTB-178 (co-ordinate+1811.89 : departure 852.21). The borehole positions were not visible during the visit because of soil heap and surface disturbances close to the southern face.

11.8 The dip of the fault is reported to be around 50°-53° the fault plane trending WNW-ESE. This however, could not be verified due to the cover by loose debris.

12.0 Probable causes

The foregoing record of events and circumstances immediately preceding the occurrence of the accident as well as the subsequent reports about the nature of the accident, as recorded in the Reports of D.G.M.S. Bhubaneswar and that of C.C.L. Ranchi and also the circumstantial evidences arising from the study and inspection of the site and the relics of the accident therein, would prima-facie enable a diagnosis of the causes culminating in the accident which occurred on the 24th June, 1981. Besides, the nature of inquiry caused to the unfortunate victims of the accident leading to the death of some of these persons, may also provide a clue to this incident.

12.1 Firstly, it is to be noted that Jagannath seam coal is a high moisture, high volatile, lower rank bituminous coal and that such coals are known to be highly prone to oxygen sorption, auto-oxidation and spontaneous fire. In fact, since the pilot quarry under reference, had been developed and mining started in 1970, sponteneous fire was reported to have had started on the southern face sometime in May, 1977 and that this was smouldering over the years in the left over old workings in this sector.

12.2 The propagation of the spontaneous fire initiated in the location already indicated, was self-sustained due to continuous ingress of air into the region through cracks, fissures and pot-holes either created during the erstwhile mining and/or opened in in-situ due to the raging of the fire and considerable ashing of coal. It can be well envisaged that such sustenance of fire for about 4 years preceding the reported accident, would obviously produce sizeable quantities of cinders over-lapping the fire which obviously have had smouldered deep within the coal bed.

12.3 It is also relevant to consider the formation and accumulation of loose mass of debris due to natural weathering process at the upper regions of the southern face. Such debris consisting mainly of stones, rocks, shales, clays etc., had no stability, particularly because of the disturbed zone around the fault plane. It can, therefore be survived that the original seat of spontaneous fire must have had been slowly but inexhorable got covered up by such fall outs of both coal and the agglomerates of rock masses loosely over-hanging the face as well as by the in-situ build up of cinders arising out of the continuous propagation of spontaneous fire in this location.

12.4 It is also pertinent to recall that some people who had survived the accident are reported to have had observed that immediately before the explosion there was some movement and sliding of sizeable rock debris along the face and the spot of the accident. Post-diagnosis of the accident has indicated that about 800 tonnes of such debris had slided down the face and rolled down 18 metres away towards the existing ministack of coal on the floor of the quarry.

12.5 Still another point relevant to the cause and occurrence of the accident needs to be considered. Post-examination of the spot had still indicated lots of potholes, cracks, crevasses on the rock surface over-lying and encompassing the old workings. In view of this it may well be envisaged that even before the occurrence of the accident such fissures, pot-holes and crevasses must have had admitted the percolation of water right into the coal bed under fire, originally initiated by spontaneous combustion. Such continuous permeation of water through hot bed of coal and char formed in-situ due to continued combustion, would lead to a sort of gasification reactions leading to the formation of carbon di-oxide, carbonmono oxide and hydrogen.

12.6 It is also well-known that combustion of coal is invariably accompanied by pyrolysis, commonly know as carbonisation of coal. While surface of massive blocks of coal burns, leading to the formation of essentially carbon-dioxide and steam, the glowing heat of the surface penetrates the glowing heat of the surface penetrates the coal mass (deficient of oxygen supply) and hence would cause considerable carbonisation of coal deep within the coal bed. Such a process would lead to the formation of tarry vapours and gases rich in methane and hydrogen. Laboratory studies of low temperature carbonisation as well as its mechanism have indicated that about 2000 cu. ft. of methane (including some methane hydro carbon)/tonne of coal is likely to be generated from lower rank bituminous coals such as Jagannath seam coal, at and upto 600 degrees.

12.7 Summarising the logistics supporting the on set and propagation of a number of concomitant chemical reactions, e.g., combustion, gasification and carbonisation of coal as well as gradual blanketing of such reaction zones by the sliding down of rock debris, it may be well conceived that a situation must have been eventually contrived which perhaps culminated in the reported outburst and an apparent explosion.

The blanketing of the active reaction zones may be envisaged to have had proceeded over the years while spontaneous fire had continued incipiently till a stage reached wherein due to the thick coverage by ash and rocks, escape of resultant gases became progressively difficult, thus building up gas pressure within the zone. The nature and composition of such gases is an important factor to be reckoned with for ascertaining the cause of the explosion.

12.7.1 Spontaneous combustion and fire in presence of abundant supply of air, would essentially form carbon dioxide and water. But when the seat or the spot of such spontaneous fire is blanketed by resultant ash and further covered up by sizable quantities of rock debris, the course of reaction is likely to change leading to the formation of more of carbon monoxide than carbon dioxide.

12.7.2 Secondly, the gasification reaction which is also envisaged to have had accompanied the spontaneous fire, would essentially lead to the formation of carbon monoxide and hydrogen.

12.7.3 Thirdly, as already indicated, carbonisation of inner depths of coal at the same spot would generate considerable volume of gases rich in methane and hydrogen.

12.7.4 Considering the occurrence of these sets of reactions, concurrently going together for months and the blanketing of the same by a huge quantity of ash and rock debris, it is obvious that accumulation of such gas within the fold of the cinder and debris would slowly build up an enormous pressure.

12.8 At this stage it is very important to recall that a few days preceding the accident, there had been a series of smart showers on the 16th, 18th, 20th, 21st 22nd and 23rd June totalling to about 206 m.m. The occurrence of such rain and the consequent procolation and see page of rain water through the over-lying debris of rocks right into the seat of the fire, might have terribly aggravated the situation causing enhancement of the gasification/reaction and consequent build-up of further pressure. Such events must have disturbed the entire region leading to the tremor and sliding of an enormous rock mass creating more crevasses, cracks, fissures and which, in turn, might have led to sudden onrush of air into the gas zone overlying the fire. The incoming air and the combustible gases like methane, carbon-monoxide and hydrogen under pressure, might have formed a highly explosive mixture, leading to a tremendous explosion and outburst. Such a situation might have suddenly created an opening, something akin to a crater of a volcano, through which tonne of cinders, boulders, ashes, etc. must have pushed out with tremendous force. It may be envisaged that such a series of events must have first ejected out the stones and rubbles leading to the sliding down of an enormous volume of rocks ad boulders which prima-facie rolled down to about 18 metres towards the mini coal heap from the toe of the face. The outburst of the stones and rubbles from the mouth might have been immediately followed by dust/ash ejection almost like a trajectory towards the northern face. Post-examination of the nature of such cinders and its spread across the through of the quarry would appear to support such a propagation of the dust cloud.

12.9 It is quite reasonable to envisage that the critical gas pressure leading to the explosion was not reached in a day, but had been building up for months together, despite slow leakage of combustible gases through the overlying debris. But when such gas pressure reached a point beyond which the overlying debris of rock could not sustain such a pressure, this naturally led to the sliding and the formation of the so-called crater resulting in the ejection of stones, boulders, followed by ash dust clouds. The movement and shifting of overlying rock debris must have created a lot of cracks and fissures leading to the sudden implosion of air into the gas zone resulting in the explosion of methane-air, carbon monoxide-air and hydrogen air mixtures. This, in turn, must have created tremendously hot spent gases of enormous volume which obviously had forced out with great vehemence almost like a trejectary towards the northern face of quarry, such sudden shooting of hot gases and steam, accompanied by fine hot cinders must have reached the poor victims at a temperature of 300 to 400 degree causing singeing and roasting of the exposed parts of their bodies, but no obvious charring. Such a conjecture is quite in conformity with the post-mortem findings of the doctors in relation to the nature of injury which culminated in the deaths of a number of people. Exposure to such a temperature is surmised as this is enough to cause superficial serious burn without any charring of the skin and hairs. The inhalation and ingestion of such hot air, particularly containing fine hot dust, are enough to cause the type of injuries to lung and pulmonary vessels as have been reported in case of some of the victims.

13.0 Summary.

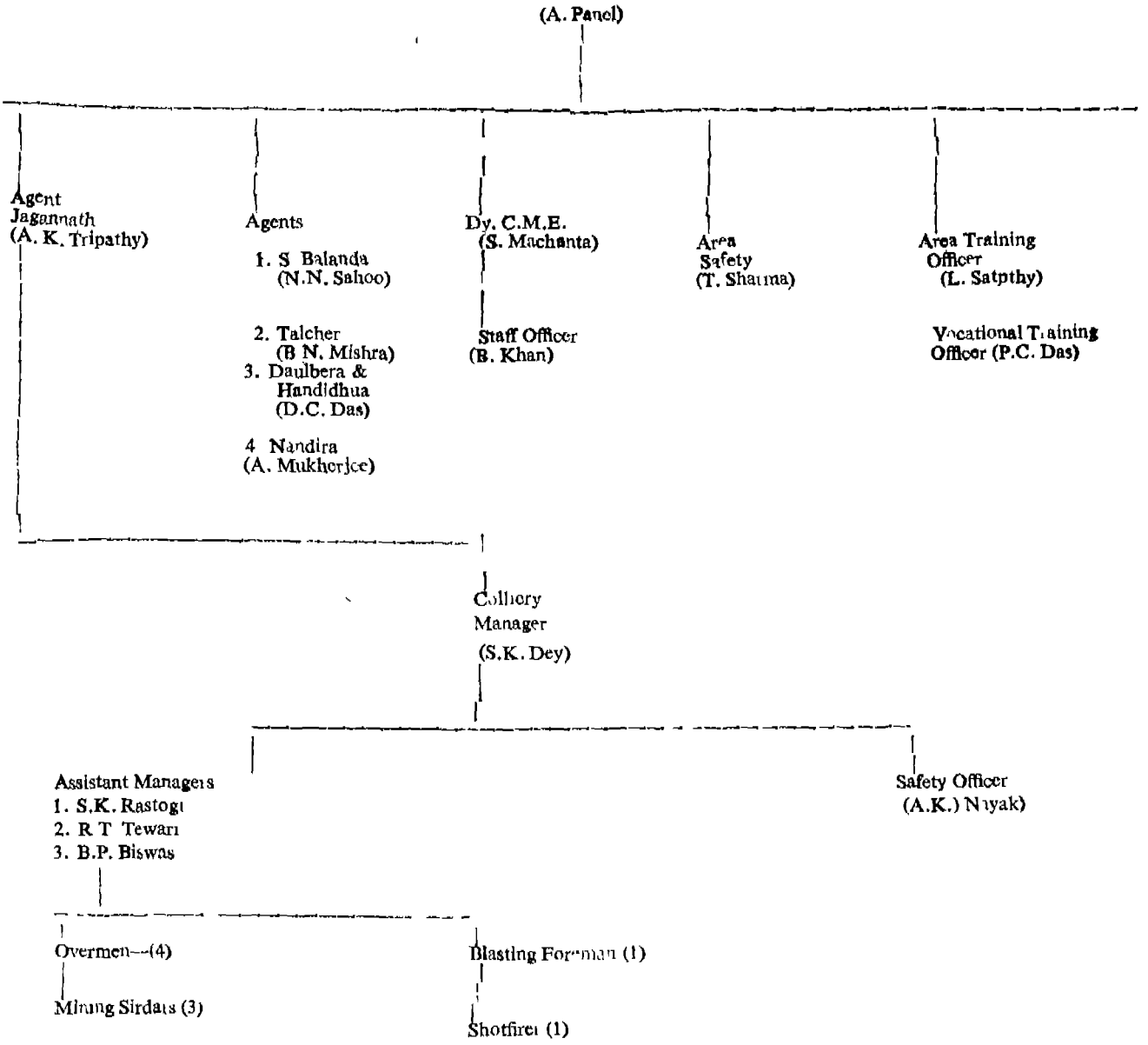
A series of concomitant events at the fire zone somewhere in the southern face of the pilot quarry must have had triggered off the accident at the Jagannath Colliery. The onset of spontaneous fire in this location and its propagation had reportedly continued since May, 1977, but this by itself would not have caused the severe outburst and the explosion unless a number of other events had concurrently contrived and precipitated such a situation.

The smouldering fire in the zone might have been gradually covered up by self generated ash and cinders and subsequently further blanketed by huge amounts of rock debries due to gradual weathering and fall out of loose materials from the left-over old working faces. Moreover, the seat of the smouldering fire must have had penetrated deeper into the coal bed due to its location in the disturbed zone by the side of 'major fault plans.

Thus, heavy blanketing of the fire zone in turn might have had led to a number of chemical reaction on and within the coal bed, viz. combustion, gasification and carbonisation—all of which culminated in the continuous generation of gases which in turn may be envisaged to have had built a tremendous pressure deep within the fire zone. Eventually when a critical pressure had reached, the super-incumbent cover of rock debries was forcibly thrown out creating an opening and consequent sudden implosion of air into the gas zone resulting in explosion of highly combustible gas mixtures under pressure viz. that of methane-air, carbon monoxide-air and hydrogen-air.Such explosion deep within the fire zone had perhaps led to the sliding of enormous quantities of rock debris and the shooting of very hot spent gases of enormous volume accompanied with fine hot dusts of ash and cinders in the form of a trejectory towards the northern face, singging and roasting the poor victims.

ANNEXURE—IV

MANAGEMENT STRUCTURE AREA & JAGANNATH PROJECT
(MINING DISCIPLINE ONLY)
GENERAL MANAGER
(A. Panel)



ANNEXURE—V

List of Mine Officials Jagannath Colliery

Mining

1	Agent/Project Officer	Sri A. K Tripathi
2.	Manager	Sri S K Dey
3	Asst Manager	S K Rastogi
4	Safety Officer	Sri A K. Nayak
5	Under Managers	(a) Sri B P Biswas
		(b) Sri R Tewary
6	Blasting Foreman	Sri P C Desh
7.	Shotfirer	Sri Nayak
8	Overmen/Sr Overman	Sri Nabin Naik
		Sri S M. Das
		Sri I Sahu
		Sri M C Dey
9	Mining Sirdars	Sri D Rout
		Sri Umesh Pattanaik
		Sri Pabitra Pradhan

E & M Section

1	Colliery Engineer	Sri A A Anwar, Sr. E E
2	Executive Engineer	Sri P R Dash
3	Engineer	Sri S K. Banerjee
4	Electrical Supervisor	Sri R Prasad
5	Foreman	Sri R K Mohanty
		Sri A K Dhar
6	Chargeman	Sri L Singh

Excavation Section

1	Supdtg Engineer	Sri R U Rao
2	Executive Engineer	Sri V K Rao (Mech)
		Sri B K Lamba (Elec)
3	Junior Executive Trainee	Sri Ramji
4	General Foreman	Sri Jagu Chand
5	Foreman in charge	Sri A N Sarkar
		Sri Puran Chand
		Sri L S Chauhan
		Sri O L Jha
		Md Wahid

6. Foreman	:	Sri B.P. Kar Sri B.B. Pati Sri Verma Sri N.K. Barik Sri B.B. Biswal Sri Raju
Civil Section		
1. Executive Engineer	:	Sri S. Chakravarty
2. Engineer	:	Sri S. Sadanandan
3. Overseer	:	Sri P.K. Mandal
4 Work Khalasi	:	Sri Rabi Sahu
Medical Section		
1 Doctor	:	Smt. S. Moharana
Others		
1. Administrative Officer	:	Capt. S.S. Sharma
2. Accounts Officer	:	Sri B.D. Pande Sir S. Khan Sri K.S. Prusty
3. Labour Welfare Officer	:	Sri S. Biswal

ANNEXURE—VI

Rainfall report for the Month of June, 1981

(South Balanda Colliery)

Date	Rainfall in mm
1-6-81 to 15-6-81	Nil
16-6-81	23.00
17-6-81	Nil
18-6-81	21.00
19-6-81	Nil
20-6-81	36.00
21-6-81	105.00
22-6-81	5.00
23-6-81	16.00
24-6-81	Nil
25-6-81	5.00
26-6-81	Nil
27-6-81	Nil
28-6-81	6.00
29-6-81	2.50
30-6-81	2.00

Regional Laboratory
South Balanda Colliery

ANNEXURE VII(A)

List of Persons Involved in the Accident

Sl. No.	Name of persons	Sex	Age	Address	Remarks
1	2	3	4	5	6
KILLED					
1.	Ramesh Alias Raskai Gargai, S/o Chandra Gagrai	Male	25 yrs	Vill. Rongalmunda P.O. Ingri, PS—Khanerm Pallahara Dhenkanal	Expired at 19.20 hrs/ 24-6-81
2.	Chandrai Munda S/o Mochi Kullha	-do-	27 yrs	-do-	Expired at 21.05 hrs/ 24-6-81
3.	Uchhab Purty S/o Sudarshan Purty	-do-	28 yrs	P.O. Mendari Beda Vill. Alluri PS—Khamar, Pallahara, Dhenkanal	Expired at 21.15 hurs/24-6-81
4.	Madhu Purty	-do-	25 yrs	-do-	Expired at 24.00 hrs/24-6-81.
5.	Tulsi Gagrai, W/o Suresh Singh Gagrai	Female	19 yrs	Vill, Gerahpur PO/PS Sukinda, Jajpur, Cuttack	Expired at 13.00 hrs/25-6-81
6.	Niranjan Moharana S/o Sona Moharana	Male	22 yrs	Vill. Gangalmunda, PO Indri, PS—Khamar, Pallahara, Dhenkanal	Expired at 12.30 hrs/26-6-81
7.	Madhusudan Nayak, S/o Hatia Nayak	-do-	25 yrs	Vill. Barapali, P.O. Kurtibashpur PS—Thakurgarh Athamallik	Expired at 17.15 hrs/29-6-81
8.	Radha, W/o Madhu Purty	Female	25 yrs	Vill. Alluri PO. Munduri Beda Pallahara, Dhenkanal	Expired at 20.15 hrs/30-6-81
9.	Suresh Singh Gagrai	Male	25 yrs	Vill. Garahpur, PO/PS—Sukinda Jajpur, Cuttack	Expired at 01.45 hrs 1-7-81
10.	Gurubari D/o Loni Siddhu	Female	22 yrs	Vill/PO-Kunjam Khamar, Pallahara Dhenkanal	Expired at 01.10 hrs 4-7-81

INJURED

1	2	3	4	5	6
1.	Janaki D/o Dabara Gagrai	Female	20 yrs	Vill. Rangalmundi P.O. Engri, P.S. Khemar Pallahar, Dhenkanal	
2.	Sukurmoni D/o Chand Ramani Gagrai	-do-	28 yrs.	-do-	
3.	Chaitan Chater S/o Pitambar Chetor	Male	35 yrs	Vill. Panspahara PO/PS—Sukinda Jaipur, Cuttack.	
*4.	Gokula Sahu S/o Pranabandhu Sahu	Male	40 yrs	Vill. Tebula, P.O. Chhandipada C.CL Via Angul, Dhenkanal	employee

*Gokula Sahu was a mechanical fitter employed directly by C.C.L. The rest are General Mazdoor employed by Civil Contractor, Sri Mahendra Singh.

ANNEXURE VII(B)

Details of Injuries & cuase of Death

Sl. No.	Name of the patient	Details of injuries	Covered with ash or any other things	Most probable cause of death
1	2	3	4	5
1.	Ramesh Alias Raskal Gagrai S/o Sri Chandre Gagrai	100% burn	Covered with ash	Circulatory failure shock
2.	Chandrai Munda S/o Muchi Kullah	-do-	-do-	-do-
3.	Uchhab Purty S/o Sudarshan Purty	-do-	-do-	-do-
4.	Madhu Purty	90% burn	-do-	-do-
5.	Tulsi Gagrai W/o Suresh Singh, Gagrai	100% burn	-do-	-do-
6.	Niranjan Moharana S/o Sona Moharana	-do-	-do-	Renal failure due to extensive burn.
7.	Madhusudan Nayak S/o Hatia Nayak	99% burn	-do-	-do-
8.	Radha W/o Madhu Purty	80% burn	-do-	Pulmonary Embolish extensive burn.
9.	Suresh Singh Gagrai S/o Surat Kumar Singh	100% burn	-do-	-do-
10.	Gurubari D/o Loni Sidhu	-do-	-do-	Cardio respiratory Failure due to extensive burn
11.	Janaki D/o Chandramani Gagrai	15 to 20%	-do-	Recovered
12.	Sukurmani D/o Chandramani Gagrai	15%	-do-	-do-
13.	Chaitan Chetar S/o Pitambar Chetar	5%	-do-	-do-
14.	Gokula Sahu S/o Pranabandhu Sahu	35% to 40%	-do- ,do,	-do-

ANNEXURE VIII

The objected material was spread fan-shaped over an area 180m x 90m. Though it is difficult to estimate, a fairly large portion must have got deposited from air at a later stage. The total thickness of deposited material, as noted from 11 point in the plan submitted by D.G.M.S. comes to 39.7cm. i.e. average thickness is 3.6 cm. As the total thickness is heavily wighed at two points where as much as 8 cm and 12 cm thick ash were recorded, the average could be reduced to 2.5 cm.

Sp. gr. of ash is 1400 kg/m^3 or 88 lb/cft.

Area covered = πr^0 $= \frac{3.14 \times 90 \times 90' \times 100}{360}$

= 7065m2

$\therefore$ Total volume $= \frac{7065 \times 2.5—}{100}$ 176m^3

$\therefore$ Total weight = 247 t say 250t.

The initial movement on the south side was noticed at a height of 4m to 5m end height of bottom most bench was about 6m. The meeting point of top of bottom bench and floor of top bench may be taken as most vulnerable point from where material could have been ejected out. That is the ejection point was 6m (20') above the quarry floor.

The centre of gravity of fan-shaped area could be calculated from $\frac{\varepsilon t\delta}{\varepsilon t}$ where t = thickness of material.

— and d = distance from point of ejection

$\therefore$ C.G. $= \frac{10400}{397}$ = 261 ft. say 260 ft.

Considering a triangular area of ash spread the centre of gravity is 2/3 away from point of ejection i.e. at a distance of 208 ft.

One can safely assume the centre of gravity to be about 250 ft from the point of ejection. Or in other words 250 t of material was thrown to a distance of 250 ft from a height of 20 ft.

Time taken to cover the height of fall.

$$t = \frac{20}{16} = 1.11 \text{ sec.}$$

Velocity attained to cover a distance of 250 ft $= \frac{250}{1.11} = 225 \text{ft/Sec.}$

Total kinetic energy required to throw 250 t over a distance of 25 ft,

$E_k = 1/2 = v^2 = 1/2 \times 250 \times 225 \times 225$

$= 13921$ mil ft lbs.

$= 17.9$ mil Btu

Thermal valve of water gas can be taken as 300 Btu/cft or more correctly 100 Btu/cft. Considering both, the following figures are arrived at :

	@300 Btu/cft	@ 100/Btu/cft
(a) Qty. of gas required to produce 17.9 mil Btu	= 59648 cft	17894.44 cft
(b) Volume of air required/ cft of water gas in 2.2 cft		
∴ Volume of air required to burn quantity of gas at (a)	= 131225 cft	3936776 cft
(c) Total volume of voi required to explode quantity of gas at (a)	= 190873 cft	5726220 cft say 100/x100/x20/Say 300/x 100/x 20/

ANNEXURE IX

Average sp. gravity of clinkers (Fireclay/shale) as analysed and submitted to the court is 2.52 i.e. weight of the material is 2520 kg/m³ or 157 lb/cft.

For a piece of 3.3 lb (1.5 kg) vol.=cu in. A cube of equal sides will have each side as 3.3 in. And therefore area of each side=10.89 sq. in, say 11 sq. in. Rounding off the corners by 1.5 sq in. at each corner the area of one side could be accepted as 6 sq. in.

162 mm of rain had fallen for 4 days prior to the incident and the following steam carbon reactions may occur :—

(a) H_2O (Water) $\rightarrow H_2O$ (Steam)—19,040 Btu
(b) $C + H_2O$ (Steam)$\rightarrow CO + H_2$—52,200 Btu
(c) $C + 2H_2O$ (Steam)$\rightarrow CO_2 + 2\ H_2$—34,000 Btu
(d) $CO + H_2O$ (Steam)$\rightarrow CO_2 + H_2 + 16.400$ Btu
(e) $C + CO_2 \rightarrow CO$—70,200 Btu

Most of these reactions are endothermic which must have reduced fire temperature. One can safely assume the temp' ature to be about 450°C (842°F). Cleavage planes and other natural fissures in coal/strata could have clogged due to rain and the steam pressure generated within the fire area could be at 350 psi and superheated to 500°F i.e. total temperature could be 431.9+500=831.9°F i.e. 450°C. Superheated steam at 350 psi & 831.9°F has a spec. vol. of 2.4 cft/lb, total heat content of 1473.7 Btu and an entropy of 1.7422.

When steam with above characteristics ultimately broke through a comparatively thinner section of side coal, it suddenly expanded to atmospheric pressure and a surface temprature of 35°C/40 C. The expansion is neither adiabatic nor isothermal and can be considered as isentrophic. Total heat content of saturated steam at 1 atm pressure & 100°C is 1150.4 Btu. Therefore by sudden expansion through an opening, heat liberated is 1437.7—1150.4=287.3 Btu. (Dryness factor, being negligible, can be rejected). Even if one considers expansion at 20 psi & 20°F (with entropy remaining about the same i.e. 1.7456) heat liberated is 1473.7—1165.7 i.e. 308 Btu. It cannot matter how the heat is rejected as long as we hang on to the work done in ejecting the burnt ash & clinkers. Considering both guide lines above one, can assume that 300 Btu of work equivalent was done per lb. of steam.

Determination of opening size—
75% void of 176 m³ (6215 cft)
= 4661 cft

1lb of steam at 350 psi and 500° F superheat=2.41 cft.
∴4661 cft of steam in void
$= \frac{4661}{2.41} = 1934$ lb

This weight of steam acted over 1.11 sec
∴wt/sec=1742 lb.
∴wt/hour=6272431 lb

Area of opening created by steam pressure could be calculated from the formula—

lb. of steam/hr/sq. in. of orifice
$= 51.43\ p$

i.e. $6272431 \times Ori = 51.43 \times 350$

$$\therefore \text{Orifice area} = \frac{6272431}{51.43 \times 350} = 384 \text{ sq, inch.}$$

i.e. an opening of about 20″ x 20″.

Such an opening tallies with the phenomenon of ejection of material.

ANNEXURE X

Let us suppose a beam of coal with 1 ft width, x 1 ft depth and 1 ft length supported at two ends.

Total weight acting at the middle of span =WIX lb, where w weight of coal in. lb/cft.

$$\text{Maximum bending moment, } M = \frac{wl^2 \times lb}{2} = \text{ft}$$

$$\text{Moment of inertia, } I = \frac{1 \times x^3}{12} \text{ ft}^4$$

Distance of farthest fibre from neutral axis NN, $y = \frac{x}{2}$ ft.

$$\text{Shear stress, } f = \frac{My}{I} = wl^2 x \frac{x}{2} \div = \frac{1 \times x^3}{12}$$

$$= \frac{WI^2 \times \times \times 12}{x^3 \times 2} = \frac{6\,wl^2}{x} \text{lb/ft}^2$$

$$= \frac{6wl^2}{x \times 12} 2 \text{ psi}$$

Indian coal generally weights 81 lb/cft

One foot of coal has a compressive strength of 1200/1320 psi Tensile stress of coal which is almost impossible to determine accurately is $\frac{1}{80}$ to $\frac{1}{60}$ of

compressive stress. Shear strength of coal is 50 psi when dry and 25 psi when wet.

In this particular instance with

w = 81 lb/cft
l = 60 ft.
x = 20 ft (assumed)
f.i.e. shear stress is lb/sq in $= \frac{6wl^2}{x \times 12} \rightarrow 2$

$$= \frac{6 \times 81 \times 60 \times 60}{20 \times 12 \times 12}$$

= 607 psi.

This is about 24 times more than wet coal shear stress of 25 psi and this can cause a failure of the beam. 60 ft long × 20 ft thick, If thickness of beam was less the failure would have been sooner.

The depth of the quarry at the site of incident was 52 m with 10 m thick overburden. Deducting this 10m of over burden and 6m (20/) thick coal that may have collapsed from top the total height of fall would be 36 m. Considering 75% void in ash the effective free fall would be through 27 m (88').

From the formula $v^2-u^2=2gs$

$$V = \sqrt{2 \times 32 \times 88} = 75 \text{ ft/sec.}$$

weight of coal, 60' long × 20/ wide × 20' thick

$$= \frac{60 \times 20 \times 20}{24.6} = 975t$$

$Ek = 1/2\ mv^2 = 1/2 \times 975 \times 1000 \times 2.2 \times 75 \times 75$

6032, 812,500 ft lb =

6032 mil ft lbs.

Another factor may also not be lost sight of. 2500 kg. of high explosives was blasted in 3 delays 20 days before the incident only 12 m away from south face. Accordingly to formula $r = 73 \sqrt{Q}$, where r is distance in metre Q = quantity of explosives in kg. dangerous seismic shock waves could have travelled to 96m if all the explosives were fires together. This means that shock waves could have disturbed the fire area and created conditions for collapse at some future date. Even if 800 kg. of explosives was blasted in each delay ground movements could have travelled to a distance of 50 ft. (15m) instead of 65m (as per formula mentioned) as each would have cancellation effect of the seismic waves of each delay blast.

There is a controversy whether the ejection/outburst preceded slide of the quarry side or both had occurred simultaneously or slide of the side caused the ejection/outburst. Before the ejection of material some eye witnesses did notice a slight movement in the quarry face 4m/5m above the quarry floor. Large pieces of coal and practically all overburden rocks beside thick deposition of ash were confined within the coal heap and toe of the quarry.

I am of the opinion that the slight movement in coal face was a fore-runner of outburst when the pressure inside was about to break through a thinner section of coal wall and it is neat about that point, probably a little above the spot, that the outburst occurred. Large scale slide of the side occurred only after the ejection of material from within the fire zone. The cracks noticed on surface along the edge of the quarry were tension cracks caused by a sudden general slide of a large mass of material.

ANNEXURE—XI

Laboratory analysis results of samples of ash, fire clay/shale pieces and No. 2 seam insitn coal ash are produce in a tabulated form. These do not provide enough clue to draw specific conclusions. Moreover number of ash samples is too meagre (3 in number only) and the samples were collected too far away from south side face. Loss in ignition of ash samples vary rather widely indicating that some coal dust had contaminated these samples. Al_2O_3 content in one ash sample is 17.55% and also it is 17.69% in one of the fire clay/shale sample. In both of them loss in ignition is also on the high side being 8.37% and 7.36% respectively. Such similarity of these sample and which are very largely dissimilar to all other samples is difficult to explain particularly when coal ash itself has Al_2O_3 content as 26.13/26.11%.

The samples were submitted for analysis by end of February, 1982 i.e. about 8 months after the incident. There was no positive evidence as to when those were actually collected in the field. In fact the sample results were submitted to the court during last stages of the enquiry even though both management and D.G.M.S. were advised to get sample analysis results on the very first day of the sitting of the Court.

I am forced to conclude that the samples are not representative of the incident and the only conclusion that can be drawn is that most of carbonaceous matter had been burnt within the fire zone.

P.83 ASH

Place	SiO_2 %	Al_2O_3 %	Fe_2O_3 %	TiO_2 %	CaO %	MgO %	K_2O %	Na_2O %	P_2O_5 %	SO_3	Loss on Ignition %	Sp. g. %	Cl. %	Undermined
1. Near North High wall (ash)	66.16	23.76	4.28	1.60	0.44	0.12	0.52	0.30	0.62	Trace	2.20	2.270		
2. Near North High Wall-side (as)	66.80	17.55	4.14	1.53	0.42	0.03	0.47	0.20	0.39	Trace	8.37	2.509		
3. Near Drag line (ash)	62.10	22.75	5.57	1.54	1.06	0.05	0.44	0.30	1.50	Trace	4.68	2.791		

FIRECLAY /SHALE

1	2	3	4	5	6	7	8	9	10	11	12	13	14
4.	Fireclay/ Shale, 135+ from N. edge of quarry 10' length from D L Battsh	62.61	30.30	3.43	1.42	0.38	0.10	0.40	0.37	0.77	Trace	0.22	2.513
5.	Fireclay/ Shale from North edge 455' from south edge	62.02	30.76	3.79	1.42	1.08	0.07	0.22	0.30	0.04	Trace	0 30	2.650
6.	Fireclay/ Shale, 40' from South edge	67.20	17.69	4.28	1.30	0.58	0.06	0.40	0.20	0.93	Trace	7.36	2.752
7.	Fireclay/ Shale 350' from South edge	63.50	30.91	1.57	2.50	0.07	0.12	0.40	0.28	0 15	Trace	0.50	2 426
8.	Fireclay/ Shale 300' from South edge	65.50	26.11	3.92	1.80	0.11	0.04	0.36	0.20	0.01	Trace	1.95	2.555
9.	Fireclay/ Shale near North High wall side	65.70	29.32	2.14	1.73	0.06	0.04	0.50	0 22	0.01	Trace	0.23	2.452

COAL-ASH

10.	Coal 20' below No. 2 seam roof unaffected.	64.66	26.13	2.50	4.44	0.10	0.05	0.72	0.30	0.38	0.45	0.03	0.20
11.	Coal, Top of No. 2 seam	66.70	26.11	1.50	3.60	0 10	0.12	0 68	0.34	0.23	0.40	0.04	0.18

ANNEXURE-XII
List of Exhibits

Sl. No.	Description of documents/Papers.	No. of Exhibit.	Remarks.
1	2	3	4
A.	Accident report of Director of Mines Safety, Bhubaneswar dated 13-7-81.	C. Ext. I	
B.	Written statement of the Management filed dated 14-12-81.	Ext. M. 1—32	
	1. Page 1 to Page 35 descriptive report	M_1	
	2. Geological plan of Talcher coalfield.	Ext. M_2	Annexure I
	3. Plan showing the collieries of Talcher Coalfields.	Ext. M_3	Annexure II
	4. Working Plan of Jagannath Colliery	Ext. M_4	Annexure III
	5. Men power position as on 24-6-81.	Ext. M_5	Annexure IV
	6. Management structure of area of Jagannath Colliery.	Ext M_6	Annexure V(a)
	7. List of Mini Officials Jagannath Colliery.	Ext M_7	Annexure V(b)
	8. Accident Plan Jagannath Colliery Pilot Quarry 24-6-81	Ext. M_8	Annexure VI
	9. Letter No. 2471 of D.M.S., Bhubaneswar.	Ext. M_9	Annexure VII(a)
	10. Letter No. 14/0/violations/78/14616-17 dated 7-11-78 of D.C.M.E.S.B.C.	Ext. M_{10}	Annexure VII(b)
	11. Rainfall report for 6/81.	Ext. M_{11}	Annexure VIII
	12. Details of persons involved in the accident	Ext M_{12}	Annexure IX(a)
	13. Statement showing nature of injuries, cause of death of injured on 24-6-81.	Ext. M_{13}	Annexure IX(b)

1	2	3	4
	14. Annexure-X of the Draft statement of Management	Ext. M_{14}	
	15. Photo "Surface Crack" 1A	Ext. M_{15}	
	16. Photo "Pothole Crack" 1B	Ext. M_{16}	
	17. Photo "Garland Drain" 1C	Ext. M_{17}	
	18. Photo 2 "Thrown ash and stone pieces".	Ext. M_{18}	
	19. Photo "Thrown ash and stone pieces" 3A	Ext. M_{19}	
	20. Photo -do- 3B	Ex. M_{20}	
	21. Photo "Coal heap on fire". 4	Ext. M_{21}	
	22. Photo -do- 5	Ext. M_{22}	
	23. Photo -do- 6-A	Ext. M_{23}	
	24. Photo -do- 6-B	Ext. M_{24}	
	25. Photo "Southern Side Slope" 7	Ext. M_{25}	
	26. Photo "Channeling of fireclay bed by rain water" 8	Ext. M_{26}	
	27. Photo "Deposit of hot ash on sharp edge" 9	Ext M_{27}	
	28. Photo "Caving at site of occurrence" 10	Ext. M_{28}	
	29. Photo "Foot print of workers" 11	Ext. M_{29}	
	30. Photo "Peeled off skin" 1.	Ext. M_{30}	
	31. Photo "Deformed Shoe" 13	Ext. M_{31}	
	32. Photo "Partly burnt cloth"	Ext. M_{32}	
C.	Rejoinder by C.C.L. dated 7-1-82 to the W.S. filed by T.C.M.S.	Ext. M_{33}	
D.	Rejoinder by C.C.L. dated 7-1-82 to the W.S. filed by D.C.M.U. (Deulbera)	Ext. M_{34}	
E.	Rejoinder by C.C.L. dated 7-1-82 to the W.S. filed by O.C.L.U.	Ext. M_{35}	
F.	Report of C.F.R.I. dated 5-1-82.	C-Ext. II	
G.	Report of C.M.R.S. dated 4-1-82	C-Ext. III	
H.	Status report of coal mine fires of Dr. T.N. Singh of C.M.R.S. filed on 15-4-82.	C-Ext. IV	
I.	Copy of postmortem report received from S.P., Dhenkanal.	C-Ext. V	
J.	Photostat copy of Extracts from "Mine Disasters in India"	C-Ext. M_{36}	
K.	Photostat copy of Bed head tickets.		

No. of pages.		
8	Ext. M_{37}	Janki Gagrai
7	Ext. M_{38}	Chaitan Chetar
7	Ext. M_{39}	Sukrumoni Gagrai
8	Ext. M_{40}	Gokula Sahu
2	Ext. M_{41}	Raskai/Ramesh
3	Ext. M_{42}	Chandra Munda
2	Ext. M_{43}	Uchhav Prusti
2	Ext. M_{44}	Madhu Pursti
5	Ext. M_{45}	Tulsi Gagrai
9	Ext. M_{46}	Niranjan Maharana.
17	Ext. M_{47}	Madhusudan Naik
21	Ext. M_{48}	Radha
22	Ext. M_{49}	Suresh Singh
24	Ext. M_{50}	Gurubari

1	2	3	4
L.	Statement showin details of expenditures incurred for treatment of burn accident causes as submitted by Management	M Ext.$_{61}$	
M.	Photostat copy of C.M.R.O's report on "Surface Coal Fire" at Jhingurda Colliery.	Ext$_{62}$	
N	Photostat copy of report No. TR/80/9-R relating to final report of investigation of the problem of spontaneous fire hazards at Jhingurda and its prevention by C.F.R.I.	Ext $_{63}$	
O.	Chemical Analysis reports filed by Management as per order dated 13-2-82	Ext. M-54(a) to 54(k)	
P	"Compensation Report—as submitted by Management	Ext. M$_{65}$	Filed by Management on 4-3-82
Q.	Blasting report of J N.C. Inspection of Officers of Directorate of Mines Safety.	Ext. M$_{66}$ Ext. M$_{67}$	

[No. N. 11015/6/82—M.I.]

J. K. Jain, Under Secy.

PRINTED BY THE MANAGER, GOVT. OF INDIA PRESS, RING ROAD, NEW DELHI-110064
AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI-110054, 1983